

By the Committee on Environmental Preservation and Conservation;
and Senator Saunders

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1 A bill to be entitled
2 An act relating to the water management districts;
3 reenacting ss. 373.069, 373.0693, 373.0695, 373.073, and
4 373.083, F.S., relating to the creation of the water
5 management districts, pursuant to the provisions of the
6 Florida Government Accountability Act; amending s.
7 373.0693, F.S.; eliminating the Oklawaha River Basin
8 Advisory Council; amending s. 373.323, F.S.; providing for
9 applicants who meet certain conditions to be certified as
10 a licensed water well contractor; amending s. 373.536,
11 F.S.; authorizing certain chairs of committees of the
12 Senate and the House of Representatives to submit comments
13 and objections to proposed budgets; amending s. 373.079,
14 F.S.; revising meeting requirements for members of the
15 governing boards of the water management districts, as
16 provided in s. 120.54, F.S.; creating the Reclaimed Water
17 Coordination Task Force; providing legislative findings;
18 providing purposes; requiring that the task force review
19 certain rules, programs, and policies when preparing its
20 recommendations; providing for membership of the task
21 force; requiring that members be appointed on or before a
22 specified date; providing for administrative support for
23 the task force; providing duties of the task force;
24 requiring that the Department of Environmental Protection
25 and each water management district encourage the use of
26 pilot projects for certain purposes; requiring that the
27 task force submit a report to the Governor, the President
28 of the Senate, and the Speaker of the House of
29 Representatives on or before a specified date; requiring

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30 that the report contain certain information; requiring
31 that the department and each water management district
32 cooperate with the task force; requesting that all other
33 agencies cooperate with the task force; providing for
34 dissolution of the task force; providing an effective
35 date.

36
37 WHEREAS, ss. 11.901-11.920, Florida Statutes, the Florida
38 Government Accountability Act, subjects the water management
39 districts and each district's respective advisory committees to
40 a sunset review process in order to determine whether the
41 districts should be retained, modified, or abolished, and

42 WHEREAS, the water management districts produced reports
43 providing specific information, as enumerated in s. 11.906,
44 Florida Statutes, and

45 WHEREAS, upon receipt of the reports, the Joint
46 Legislative Sunset Committee and committees of the Senate and
47 the House of Representatives assigned to act as sunset review
48 committees reviewed the reports and requested studies by the
49 Office of Program Policy Analysis and Government
50 Accountability, and

51 WHEREAS, based on the reports of the water management
52 districts, studies of the Office of Program Policy Analysis and
53 Government Accountability, and public input, the Joint
54 Legislative Sunset Committee and legislative sunset review
55 committees made recommendations on the abolition, continuation,
56 or reorganization of the water management districts and each
57 district's advisory committees; on the need for the functions
58 performed by the districts and the advisory committees; and on

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59 | the consolidation, transfer, or reorganization of programs
60 | within the water management districts, NOW, THEREFORE,

61 |
62 | Be It Enacted by the Legislature of the State of Florida:

63 |
64 | Section 1. Sections 373.069, 373.0693, 373.0695, 373.073,
65 | and 373.083, Florida Statutes are reenacted.

66 | Section 2. Paragraph (a) of subsection (8) of section
67 | 373.0693, Florida Statutes, is amended to read:

68 | 373.0693 Basins; basin boards.--

69 | (8) (a) At 11:59 p.m. on June 30, 1988, the area transferred
70 | from the Southwest Florida Water Management District to the St.
71 | Johns River Water Management District by change of boundaries
72 | pursuant to chapter 76-243, Laws of Florida, shall cease to be a
73 | subdistrict or basin of the St. Johns River Water Management
74 | District known as the Oklawaha River Basin and said Oklawaha
75 | River Basin shall cease to exist. However, any recognition of an
76 | Oklawaha River Basin or an Oklawaha River Hydrologic Basin for
77 | regulatory purposes shall be unaffected. The area formerly known
78 | as the Oklawaha River Basin shall continue to be part of the St.
79 | Johns River Water Management District. ~~There shall be established~~
80 | ~~by the governing board of the St. Johns River Water Management~~
81 | ~~District the Oklawaha River Basin Advisory Council to receive~~
82 | ~~public input and advise the St. Johns River Water Management~~
83 | ~~District's governing board on water management issues affecting~~
84 | ~~the Oklawaha River Basin. The Oklawaha River Basin Advisory~~
85 | ~~Council shall be appointed by action of the St. Johns River Water~~
86 | ~~Management District's governing board and shall include one~~
87 | ~~representative from each county which is wholly or partly~~

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88 ~~included in the Oklawaha River Basin. The St. Johns River Water~~
89 ~~Management District's governing board member currently serving~~
90 ~~pursuant to s. 373.073(2)(c)3. shall serve as chair of the~~
91 ~~Oklawaha River Basin Advisory Council. Members of the Oklawaha~~
92 ~~River Basin Advisory Council shall receive no compensation for~~
93 ~~their services but are entitled to be reimbursed for per diem and~~
94 ~~travel expenses as provided in s. 112.061.~~

95 Section 3. Subsection (3) of section 373.323, Florida
96 Statutes, is amended to read:

97 373.323 Licensure of water well contractors; application,
98 qualifications, and examinations; equipment identification.--

99 (3) An applicant who meets the following requirements shall
100 be entitled to take the water well contractor licensure
101 examination ~~to practice water well contracting~~:

102 (a) Is at least 18 years of age.

103 (b) Has at least 2 years of experience in constructing,
104 repairing, or abandoning water wells. Satisfactory proof of such
105 experience shall be demonstrated by providing:

106 1. Evidence of the length of time the applicant has been
107 engaged in the business of the construction, abandonment, and
108 repair of water wells as a major activity, as attested to by
109 three letters from any of the following persons:

110 a. Water well contractors.

111 b. Water well drillers.

112 c. Water well parts and equipment vendors.

113 d. Water well inspectors employed by a governmental agency.

114 2. A list of at least 10 water wells that the applicant has
115 constructed, repaired, or abandoned, which includes the following
116 information:

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117 a. The name and address of the owner or owners of each
118 well.

119 b. The location, primary use, and approximate depth and
120 diameter of each well that the applicant has constructed,
121 repaired, or abandoned.

122 c. The approximate date the construction, repair, or
123 abandonment of each well was completed.

124 3. All listed wells must have been constructed, repaired,
125 or abandoned within 5 years immediately preceding the filing of
126 the license application. At least seven of the 10 water wells
127 must have been constructed by the applicant, as defined in s.
128 373.303(2).

129 (c) Has completed the application form and remitted a
130 nonrefundable application fee.

131 Section 4. Paragraph (e) of subsection (5) of section
132 373.536, Florida Statutes, is amended to read:

133 373.536 District budget and hearing thereon.--

134 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
135 APPROVAL.--

136 (e) By September 5 of the year in which the budget is
137 submitted, the House and Senate appropriations and appropriate
138 substantive committee chairs may transmit to each district
139 comments and objections to the proposed budgets. Each district
140 governing board shall include a response to such comments and
141 objections in the record of the governing board meeting where
142 final adoption of the budget takes place, and the record of this
143 meeting shall be transmitted to the Executive Office of the
144 Governor, the department, and the chairs of the House and Senate
145 appropriations committees.

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146 Section 5. Subsection (7) of section 373.079, Florida
147 Statutes, is amended to read:

148 373.079 Members of governing board; oath of office;
149 staff.--

150 (7) The governing board shall meet at least once a month
151 and upon call of the chair. The governing board, a basin board, a
152 committee, or an advisory board may conduct meetings by means of
153 communications media technology as provided in the uniform rules
154 of procedure adopted pursuant to s. 120.54.

155 Section 6. The Legislature finds that encouragement and
156 promotion of reuse of reclaimed water, as defined by the
157 Department of Environmental Protection, are state objectives and
158 serve the public interest. The Legislature finds that the
159 implementation of this policy has been hampered by a lack of
160 clear understanding as to the role of local governments producing
161 and distributing reclaimed water and water management districts
162 as to the regulation of the use of reclaimed water. The
163 Legislature further finds that the Department of Environmental
164 Protection and water management districts do not have a common
165 policy regarding reclaimed water as applied to processes related
166 to water-use permitting and water shortage. The Legislature also
167 finds that a clear and consistent policy regarding the use of
168 reclaimed water is required to achieve the most efficient and
169 beneficial use of this resource.

170 (1) The Reclaimed Water Coordination Task Force is created
171 for the purposes of recommending clear direction as to the
172 relative roles of local governments and water management
173 districts with regard to the regulation of the use of reclaimed
174 water and proposing a statewide uniform approach to consideration

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175 of use of reclaimed water as applied to processes related to
176 water-use permitting and water shortages. When preparing its
177 recommendations, the task force shall review the rules, programs,
178 and policies of the five water management districts in this state
179 as such rules, programs, and policies relate to considerations
180 involving the use of reclaimed water with respect to water-use
181 permitting, water shortages, and related actions, activities, or
182 programs.

183 (2) The task force shall consist of the following members:

184 (a) The President of the Senate and the Speaker of the
185 House of Representatives shall each appoint one member from their
186 respective chambers, who shall co-chair the task force.

187 (b) The Secretary of Environmental Protection or designee.

188 (c) The Commissioner of Agriculture, or his or her
189 designee.

190 (d) The executive director of the South Florida Water
191 Management District, or his or her designee.

192 (e) The executive director of the Southwest Florida Water
193 Management District, or his or her designee.

194 (f) The executive director of the St. Johns River Water
195 Management District, or his or her designee.

196 (g) The executive director of the Suwannee River Water
197 Management District, or his or her designee.

198 (h) The executive director of the Northwest Florida Water
199 Management District, or his or her designee.

200 (i) The executive director of the Florida Nursery Growers
201 and Landscape Association, or his or her designee.

202 (j) The executive director of the Florida Sugar Cane
203 League, or his or her designee.

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204 (k) In addition to the appointments in paragraph (a), the
205 President of the Senate and the Speaker of the House of
206 Representatives shall each appoint:

207 1. Three members who are employees of a local government
208 producing reclaimed water for reuse by the public.

209 2. A representative of a not-for-profit environmental
210 advocacy organization.

211 3. A representative from a company that is a self-supplier
212 of water.

213 (3) Members of the task force shall be appointed on or
214 before August 1, 2008.

215 (4) The clerical and professional staff of the Department
216 of Environmental Protection shall provide administrative support
217 to the task force. The task force may request support from the
218 clerical and professional staff of the standing committees of the
219 Senate and the House of Representatives.

220 (5) The task force shall:

221 (a) Determine the role of the use of reclaimed water as
222 applied to processes related to water-use permitting and water
223 shortage.

224 (b) Assess the appropriate roles of local governments and
225 water management districts in regulating the use of reclaimed
226 water.

227 (c) Consider how the use of reclaimed water could be
228 promoted in areas in which new or increased water withdrawals
229 have been limited by law through the use of offsets or other
230 similar incentives.

231 (d) Evaluate the most effective means of supplementing
232 reclaimed water supplies during peak demands in order to improve

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233 reliability and promote widespread adoption of reclaimed water.

234 (e) Consider the most effective means of incorporating any
235 recommended statewide policy changes.

236 (6) The Department of Environmental Protection and each
237 water management district shall encourage the use of pilot
238 projects for the purpose of obtaining data and operating
239 experience regarding various types of reuse and irrigation
240 systems.

241 (7) The task force shall submit a report to the Governor,
242 the President of the Senate, and the Speaker of the House of
243 Representatives summarizing its findings and recommendations on
244 or before January 31, 2009.

245 (8) The Department of Environmental Protection and the
246 water management districts are directed, and all other agencies
247 and local governments are requested, to render assistance to and
248 cooperate with the task force.

249 (9) The task force shall dissolve on January 31, 2009.

250 Section 7. This act shall take effect upon becoming a law.