

By Senator Wise

20-01310-09

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1 A bill to be entitled
2 An act relating to water management districts;
3 amending s. 373.073, F.S.; requiring the members of
4 the governing boards of the water management districts
5 be elected rather than appointed; providing an
6 effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Section 373.073, Florida Statutes, is amended to
11 read:

12 373.073 Governing board.—

13 (1) ~~(a)~~ The governing board of each water management
14 district shall be composed of 9 elected members who must ~~shall~~
15 reside within the district, except that the Southwest Florida
16 Water Management District shall be composed of 13 elected
17 members who must ~~shall~~ reside within the district. ~~Members of~~
18 ~~the governing boards shall be appointed by the Governor, subject~~
19 ~~to confirmation by the Senate at the next regular session of the~~
20 ~~Legislature, and the refusal or failure of the Senate to confirm~~
21 ~~an appointment creates a vacancy in the office to which the~~
22 ~~appointment was made.~~

23 (a) The term of office for a governing board member is 4
24 years and commences on March 2 following the previous general
25 election ~~of the year in which the appointment is made and~~
26 ~~terminates on March 1 of the fourth calendar year of the term or~~
27 ~~may continue until a successor is appointed, but not more than~~
28 ~~180 days. Terms of office of governing board members shall be~~
29 ~~staggered to help maintain consistency and continuity in the~~

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30 ~~exercise of governing board duties and to minimize disruption in~~
31 ~~district operations.~~

32 ~~(b) Commencing January 1, 1999, the Governor shall appoint~~
33 ~~the following number of governing board members in each year of~~
34 ~~the Governor's 4-year term of office:~~

35 ~~1. In the first year of the Governor's term of office, the~~
36 ~~Governor shall appoint three members to the governing board of~~
37 ~~each district.~~

38 ~~2. In the second year of the Governor's term of office, the~~
39 ~~Governor shall appoint three members to the governing board of~~
40 ~~the Southwest Florida Water Management District and two members~~
41 ~~to the governing board of each other district.~~

42 ~~3. In the third year of the Governor's term of office, the~~
43 ~~Governor shall appoint three members to the governing board of~~
44 ~~the Southwest Florida Water Management District and two members~~
45 ~~to the governing board of each other district.~~

46 ~~4. In the fourth year of the Governor's term of office, the~~
47 ~~Governor shall appoint two members to the governing board of~~
48 ~~each district.~~

49 ~~(b) For any governing board vacancy that occurs before the~~
50 ~~next date scheduled election for that the office to be filled~~
51 ~~under this paragraph, the Governor shall appoint a person who~~
52 ~~meets the applicable meeting residency requirements of~~
53 ~~subsection (2) to complete the term of that office for a term~~
54 ~~that will expire on the date scheduled for the term of that~~
55 ~~office to terminate under this subsection. In addition to the~~
56 ~~residency requirements for the governing boards as provided by~~
57 ~~subsection (2), the Governor shall consider appointing governing~~
58 ~~board members to represent an equitable cross-section of~~

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59 ~~regional interests and technical expertise.~~

60 (2) Election to membership on governing boards must be in
61 accordance with ~~shall be selected from candidates who have~~
62 ~~significant experience in one or more of the following areas,~~
63 ~~including, but not limited to: agriculture, the development~~
64 ~~industry, local government, government-owned or privately owned~~
65 ~~water utilities, law, civil engineering, environmental science,~~
66 ~~hydrology, accounting, or financial businesses. Notwithstanding~~
67 ~~the provisions of any other general or special law to the~~
68 ~~contrary, vacancies in the governing boards of the water~~
69 ~~management districts shall be filled according to the following~~
70 ~~residency requirements, representing areas designated by the~~
71 ~~United States Water Resources Council in United States~~
72 ~~Geological Survey, River Basin and Hydrological Unit Map of~~
73 ~~Florida-1975, Map Series No. 72:~~

74 (a) Northwest Florida Water Management District:

75 1. One member must ~~shall~~ reside in the area generally
76 designated as the "Perdido River Basin-Perdido Bay Coastal Area-
77 Lower Conecuh River-Escambia River Basin" hydrologic units and
78 that portion of the "Escambia Bay Coastal Area" hydrologic unit
79 which lies west of Pensacola Bay and Escambia Bay.

80 2. One member must ~~shall~~ reside in the area generally
81 designated as the "Blackwater River Basin-Yellow River Basin-
82 Choctawhatchee Bay Coastal Area" hydrologic units and that
83 portion of the "Escambia Bay Coastal Area" hydrologic unit which
84 lies east of Pensacola Bay and Escambia Bay.

85 3. One member must ~~shall~~ reside in the area generally
86 designated as the "Choctawhatchee River Basin-St. Andrews Bay
87 Coastal Area" hydrologic units.

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88 4. One member must ~~shall~~ reside in the area generally
89 designated as the "Lower Chattahoochee-Apalachicola River-
90 Chipola River Basin-Coastal Area between Ochlockonee River
91 Apalachicola Rivers-Apalachicola Bay coastal area and offshore
92 islands" hydrologic units.

93 5. One member must ~~shall~~ reside in the area generally
94 designated as the "Ochlockonee River Basin-St. Marks and Wakulla
95 Rivers and coastal area between Aucilla and Ochlockonee River
96 Basin" hydrologic units.

97 6. Four members shall be elected ~~appointed~~ at large, ~~except~~
98 ~~that no county shall have more than two members on the governing~~
99 ~~board.~~

100 (b) Suwannee River Water Management District:

101 1. One member must ~~shall~~ reside in the area generally
102 designated as the "Aucilla River Basin" hydrologic unit.

103 2. One member must ~~shall~~ reside in the area generally
104 designated as the "Coastal Area between Suwannee and Aucilla
105 Rivers" hydrologic unit.

106 3. One member must ~~shall~~ reside in the area generally
107 designated as the "Withlacoochee River Basin-Alapaha River
108 Basin-Suwannee River Basin above the Withlacoochee River"
109 hydrologic units.

110 4. One member must ~~shall~~ reside in the area generally
111 designated as the "Suwannee River Basin below the Withlacoochee
112 River excluding the Santa Fe River Basin" hydrologic unit.

113 5. One member must ~~shall~~ reside in the area generally
114 designated as the "Santa Fe Basin-Waccasassa River and coastal
115 area between Withlacoochee and Suwannee River" hydrologic units.

116 6. Four members shall be elected ~~appointed~~ at large, ~~except~~

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117 ~~that no county shall have more than two members on the governing~~
118 ~~board.~~

119 (c) St. Johns River Water Management District:

120 1. One member must ~~shall~~ reside in the area generally
121 designated as the "St. Marys River Basin-Coastal area between
122 St. Marys and St. Johns Rivers" hydrologic units.

123 2. One member must ~~shall~~ reside in the area generally
124 designated as the "St. Johns River Basin below Oklawaha River-
125 Coastal area between the St. Johns River and Ponce de Leon
126 Inlet" hydrologic units.

127 3. One member must ~~shall~~ reside in the area generally
128 designated as the "Oklawaha River Basin" hydrologic unit.

129 4. One member must ~~shall~~ reside in the area generally
130 designated as the "St. Johns River Basin above the Oklawaha
131 River" hydrologic unit.

132 5. One member must ~~shall~~ reside in the area generally
133 designated as the "Coastal area between Ponce de Leon Inlet and
134 Sebastian Inlet-Coastal area Sebastian Inlet to St. Lucie River"
135 hydrologic units.

136 6. Four members shall be elected ~~appointed~~ at large, ~~except~~
137 ~~that no county shall have more than two members on the governing~~
138 ~~board.~~

139 (d) South Florida Water Management District:

140 1. Two members must ~~shall~~ reside in Miami-Dade County.

141 2. One member must ~~shall~~ reside in Broward County.

142 3. One member must ~~shall~~ reside in Palm Beach County.

143 4. One member must ~~shall~~ reside in Collier County, Lee
144 County, Hendry County, or Charlotte County.

145 5. One member must ~~shall~~ reside in Glades County,

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146 Okeechobee County, Highlands County, Polk County, Orange County,
147 or Osceola County.

148 6. Two members, elected ~~appointed~~ at large, must ~~shall~~
149 reside in ~~an area consisting of~~ St. Lucie, Martin, Palm Beach,
150 Broward, Miami-Dade, or ~~and~~ Monroe Counties.

151 7. One member, elected ~~appointed~~ at large, must ~~shall~~
152 reside in ~~an area consisting of~~ Collier, Lee, Charlotte, Hendry,
153 Glades, Osceola, Okeechobee, Polk, Highlands, or ~~and~~ Orange
154 Counties.

155 ~~8. No county shall have more than three members on the~~
156 ~~governing board.~~

157 (e) Southwest Florida Water Management District:

158 1. Two members shall reside in Hillsborough County.

159 2. One member must ~~shall~~ reside in the area consisting of
160 Hillsborough and Pinellas Counties.

161 3. Two members must ~~shall~~ reside in Pinellas County.

162 4. One member must ~~shall~~ reside in Manatee County.

163 5. Two members must ~~shall~~ reside in Polk County.

164 6. One member must ~~shall~~ reside in Pasco County.

165 7. One member must ~~shall~~ be elected ~~appointed~~ at large from
166 Levy, Citrus, Sumter, or ~~and~~ Lake Counties.

167 8. One member shall be elected ~~appointed~~ at large from
168 Hardee, DeSoto, or ~~and~~ Highlands Counties.

169 9. One member shall be elected ~~appointed~~ at large from
170 Marion or ~~and~~ Hernando Counties.

171 10. One member shall be elected ~~appointed~~ at large from
172 Sarasota or ~~and~~ Charlotte Counties.

173 Section 2. This act shall take effect July 1, 2009.