



215656

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/09/2010	.	
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The Committee on Environmental Preservation and Conservation  
(Detert) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsections (1) through (7) of section 373.0693,  
Florida Statutes, are amended to read:

373.0693 Basins; basin boards.—

(1) (a) Any areas within a district may be designated by the  
district governing board as subdistricts or basins. The  
designations of such basins shall be made by resolution of the  
district governing board ~~by resolutions thereof~~. The district  
governing board ~~of the district~~ may change the boundaries of



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13 such basins, or create new basins, by resolution.

14 (2) Each basin shall be under the control of a basin board  
15 ~~which shall be~~ composed of at least not less than three members,  
16 including one or more representatives ~~but shall include one~~  
17 ~~representative~~ from each of the counties included in the basin.

18 (3) Except for a member of the district governing board  
19 serving on a basin board pursuant to subsection (6), each member  
20 of a ~~the various~~ basin board boards shall be appointed ~~serve~~ for  
21 ~~a period of~~ 3 years or until a successor is appointed, but not  
22 more than 180 days after the end of the term., ~~except that~~ The  
23 ~~board~~ membership of each new basin board shall be divided into  
24 three groups as equally as possible, with members in such groups  
25 to be appointed for 1, 2, and 3 years, respectively. Each basin  
26 board shall choose a vice chair and a secretary to serve for ~~a~~  
27 ~~period of~~ 1 year. The term of office of a basin board member  
28 shall ~~be construed to~~ commence on March 2 preceding the date of  
29 appointment and ~~to~~ terminate March 1 of the year of the end of a  
30 term or ~~may continue~~ until a successor is appointed, but not  
31 more than 180 days after the end of the expired term. A member  
32 of the district governing board serving on a basin board  
33 pursuant to subsection (6) shall serve for a period commensurate  
34 with his or her term on the governing board.

35 (4) Except for a member of the district governing board  
36 serving on a basin board pursuant to subsection (6), members of  
37 a basin board boards shall be appointed by the Governor, subject  
38 to confirmation by the Senate at the next regular session of the  
39 Legislature; and the refusal or failure of the Senate to confirm  
40 an appointment shall create a vacancy in the office to which the  
41 appointment was made.



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42           (5) Basin board members shall serve without ~~receive no~~  
43 compensation ~~for services as such;~~ but are entitled to  
44 reimbursement for per diem and travel expenses as provided in s.  
45 112.061, ~~while officially on work for the district, they shall~~  
46 ~~receive their actual travel expenses between their respective~~  
47 ~~places of residence and the place where official district~~  
48 ~~business is conducted, subsistence, lodging, and other expenses~~  
49 ~~in the amount actually incurred. These expenses may not exceed~~  
50 ~~the statutory amount allowed state officers and employees. This~~  
51 subsection applies retroactively to the effective date of the  
52 creation of each of the five separate water management  
53 districts.

54           (6) (a) Notwithstanding any other provision of the  
55 ~~provisions of any other~~ general or special law ~~to the contrary,~~  
56 a member of the district governing board ~~of the district~~  
57 residing in the basin or, if no member resides in the basin, a  
58 member of the district governing board designated by the chair  
59 of the district governing board shall be a voting member of the  
60 basin board and counted for purposes of establishing a quorum.

61           (b) A governing board member shall serve as the chair of  
62 the basin board. If more than one governing board member is  
63 designated to a basin board, each shall rotate as co-chair of  
64 the basin board. The chair or co-chair shall preside at all  
65 meetings of the basin board, except that the vice chair may  
66 preside in the his or her absence of the chair and co-chair. The  
67 chair shall be the liaison officer of the district in all  
68 affairs in the basin and shall be kept informed of all such  
69 affairs.

70           (c) If a vacancy occurs on a basin board, a quorum of the



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71 total remaining members of the basin board may continue to  
72 transact official business until a successor is appointed.

73 (d) ~~(b)~~ Basin boards within the Southwest Florida Water  
74 Management District shall meet regularly as determined by a  
75 majority vote of the basin board members. Subject to notice  
76 requirements of chapter 120, special meetings, both emergency  
77 and nonemergency, may be called ~~either~~ by the chair or the  
78 elected vice chair ~~of the basin board~~ or upon request of two  
79 basin board members. The district staff shall include on the  
80 agenda of any basin board meeting any item for discussion or  
81 action requested by a member of that basin board. The district  
82 staff shall notify any basin board, as well as their respective  
83 counties, of any vacancies occurring in the district governing  
84 board or their respective basin boards.

85 ~~(7) At 11:59 p.m. on December 31, 1976, the Manasota~~  
86 ~~Watershed Basin of the Ridge and Lower Gulf Coast Water~~  
87 ~~Management District, which is annexed to the Southwest Florida~~  
88 ~~Water Management District by change of its boundaries pursuant~~  
89 ~~to chapter 76-243, Laws of Florida, shall be formed into a~~  
90 ~~subdistrict or basin of the Southwest Florida Water Management~~  
91 ~~District, subject to the same provisions as the other basins in~~  
92 ~~such district. Such subdistrict shall be designated initially as~~  
93 ~~the Manasota Basin. The members of the governing board of the~~  
94 ~~Manasota Watershed Basin of the Ridge and Lower Gulf Coast Water~~  
95 ~~Management District shall become members of the governing board~~  
96 ~~of the Manasota Basin of the Southwest Florida Water Management~~  
97 ~~District. Notwithstanding other provisions in this section,~~  
98 beginning on July 1, 2010 ~~2001~~, the membership of the Manasota  
99 Basin Board shall be comprised of two members from Manatee



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100 County, ~~and~~ two members from Sarasota County, and a member of  
101 the district governing board designated by the chair of the  
102 district governing board pursuant to subsection (6). ~~Matters~~  
103 ~~relating to tie votes shall be resolved pursuant to subsection~~  
104 ~~(6) by the chair designated by the governing board to vote in~~  
105 ~~ease of a tie vote.~~

106 Section 2. Subsection (5) is added to section 373.171,  
107 Florida Statutes, to read:

108 373.171 Rules.—

109 (5) Cooperative funding programs are not subject to the  
110 rulemaking requirements of chapter 120. However, any portion of  
111 an approved program which affects the substantial interests of a  
112 party shall be subject to s. 120.569.

113 Section 3. This act shall take effect July 1, 2010.

114  
115 ===== T I T L E A M E N D M E N T =====

116 And the title is amended as follows:

117 Delete everything before the enacting clause  
118 and insert:

119 A bill to be entitled  
120 An act relating to water management districts;  
121 amending s. 373.0693, F.S.; revising provisions  
122 relating to the membership of basin boards; specifying  
123 the terms of service for basin board members  
124 designated by district governing board chairs;  
125 providing that basin board members designated by  
126 district governing board chairs are voting members and  
127 counted for quorum purposes; providing for designated  
128 district governing board members to serve as basin



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129 board chairs and co-chairs; authorizing basin boards  
130 to transact official business under certain  
131 conditions; revising provisions relating to the  
132 membership of the Manasota Basin Board; providing for  
133 the designation of a member of the district governing  
134 board to serve on the basin board; amending s.  
135 373.171, F.S.; exempting cooperative funding programs  
136 from certain rulemaking requirements; providing an  
137 effective date.