

By the Committees on General Government Appropriations; and
Environmental Preservation and Conservation; and Senator Detert

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1 A bill to be entitled
2 An act relating to water management districts;
3 amending s. 373.1961, F.S.; authorizing water
4 management districts to use certain moneys in the
5 Water Protection and Sustainability Program Trust Fund
6 for water resource development projects; amending s.
7 373.0693, F.S.; revising provisions relating to the
8 membership of basin boards; specifying the terms of
9 service for basin board members designated by district
10 governing board chairs; providing that basin board
11 members designated by district governing board chairs
12 are voting members and counted for quorum purposes;
13 providing for designated district governing board
14 members to serve as basin board chairs and co-chairs;
15 providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Paragraph (c) of subsection (3) of section
20 373.1961, Florida Statutes, is amended to read:

21 373.1961 Water production; general powers and duties;
22 identification of needs; funding criteria; economic incentives;
23 reuse funding.—

24 (3) FUNDING.—

25 (c) The financial assistance for alternative water supply
26 projects allocated in each district's budget as required in s.
27 373.196(6) shall be combined with the state funds and used to
28 assist in funding the project construction costs of alternative
29 water supply projects selected by the governing board. ~~If the~~

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30 ~~district has not completed any regional water supply plan, or~~
31 ~~the regional water supply plan does not identify the need for~~
32 ~~any alternative water supply projects,~~ Funds deposited in the
33 Water Protection and Sustainability Program Trust Fund to the
34 credit of the Northwest Florida Water Management District and
35 the Suwannee River Water Management District ~~that district's~~
36 ~~trust fund may also be used for regional water supply planning,~~
37 water resource development, and water resource projects,
38 including, but not limited to, springs protection.

39 Section 2. Subsections (1) through (6) of section 373.0693,
40 Florida Statutes, are amended to read:

41 373.0693 Basins; basin boards.—

42 (1) (a) Any areas within a district may be designated by the
43 district governing board as subdistricts or basins. The
44 designations ~~of such basins~~ shall be made by resolution of the
45 district governing board ~~by resolutions thereof~~. The governing
46 board ~~of the district~~ may change the boundaries of such basins,
47 or create new basins, by resolution.

48 (b) The designation of a ~~No~~ subdistrict or basin in the St.
49 Johns River Water Management District, other than established by
50 this act, is not shall become effective until approved by the
51 Legislature.

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

56 (3) Except for a member of the district governing board
57 serving on a basin board pursuant to subsection (6), each member
58 of a ~~the various basin board boards~~ shall be appointed ~~serve~~ for

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59 ~~a period of 3 years or until a successor is appointed, but not~~
60 ~~more than 180 days after the end of the term., except that~~ The
61 ~~board~~ membership of each new basin board shall be divided into
62 three groups as equally as possible, with members in such groups
63 ~~to be~~ appointed for 1, 2, and 3 years, respectively. Each basin
64 board shall choose a vice chair and a secretary to serve for ~~a~~
65 ~~period of 1 year.~~ The term of office of a basin board member
66 shall ~~be construed to~~ commence on March 2 preceding the date of
67 appointment and ~~to~~ terminate March 1 of the year of the end of a
68 term or ~~may continue~~ until a successor is appointed, but not
69 more than 180 days after the end of the expired term. A member
70 of the district governing board serving on a basin board
71 pursuant to subsection (6) shall serve for a period commensurate
72 with his or her term on the governing board.

73 (4) Except for a member of the district governing board
74 serving on a basin board pursuant to subsection (6), members of
75 a basin board boards shall be appointed by the Governor, subject
76 to confirmation by the Senate at the next regular session of the
77 Legislature. ~~and~~ The refusal or failure of the Senate to
78 confirm an appointment shall create a vacancy in the office to
79 which the appointment was made.

80 (5) Basin board members shall serve without ~~receive no~~
81 ~~compensation for services as such,~~ but are entitled to
82 reimbursement for per diem and travel expenses as provided in s.
83 112.061, ~~while officially on work for the district, they shall~~
84 ~~receive their actual travel expenses between their respective~~
85 ~~places of residence and the place where official district~~
86 ~~business is conducted, subsistence, lodging, and other expenses~~
87 ~~in the amount actually incurred. These expenses may not exceed~~

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88 ~~the statutory amount allowed state officers and employees.~~ This
89 subsection applies retroactively to the effective date of the
90 creation of each of the five separate water management
91 districts.

92 (6) (a) Notwithstanding any other provision of the
93 ~~provisions of any other~~ general or special law ~~to the contrary,~~
94 a member of the district governing board ~~of the district~~
95 residing in the basin, or, if no member resides in the basin, a
96 member of the district governing board designated by the chair
97 of the district governing board, shall be a voting member of the
98 basin board and counted for purposes of establishing a quorum.

99 (b) A governing board member shall serve as the chair of
100 the basin board. If more than one governing board member is
101 designated to a basin board, each shall rotate as co-chair of
102 the basin board. The chair or co-chair shall preside at all
103 meetings of the basin board, except that the vice chair may
104 preside in the his or her absence of the chair and co-chair. The
105 chair shall be the liaison officer of the district in all
106 affairs in the basin and shall be kept informed of all such
107 affairs.

108 (c) ~~(b)~~ Basin boards within the Southwest Florida Water
109 Management District shall meet regularly as determined by a
110 majority vote of the basin board members. Subject to notice
111 requirements of chapter 120, special meetings, both emergency
112 and nonemergency, may be called ~~either~~ by the chair or the
113 elected vice chair ~~of the basin board~~ or upon request of two
114 basin board members. The district staff shall include on the
115 agenda of any basin board meeting any item for discussion or
116 action requested by a member of that basin board. The district

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117 staff shall notify any basin board, as well as their respective
118 counties, of any vacancies occurring in the district governing
119 board or their respective basin boards.

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