

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Holder offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 31 and 32, insert:

5 Section 2. Subsections (1) through (7) of section
6 373.0693, Florida Statutes, are amended to read:

7 373.0693 Basins; basin boards.—

8 (1) (a) Any areas within a district may be designated by
9 the district governing board as subdistricts or basins. The
10 designations of such basins shall be made by resolution of the
11 district governing board ~~by resolutions thereof~~. The district
12 governing board ~~of the district~~ may change the boundaries of
13 such basins, or create new basins, by resolution.

14 (b) No subdistrict or basin in the St. Johns River Water
15 Management District other than established by this act shall
16 become effective until approved by the Legislature.

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

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

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

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

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

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

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73 (c) If a vacancy occurs on a basin board, a quorum of the
74 total remaining members of the basin board may continue to
75 transact official business until a successor is appointed.

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

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

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101 beginning on July 1, 2010 ~~2001~~, the membership of the Manasota
102 Basin Board shall be comprised of two members from Manatee
103 County, ~~and~~ two members from Sarasota County, and a member of
104 the district governing board designated by the chair of the
105 district governing board pursuant to subsection (6). ~~Matters~~
106 ~~relating to tie votes shall be resolved pursuant to subsection~~
107 ~~(6) by the chair designated by the governing board to vote in~~
108 ~~ease of a tie vote.~~

109 Section 3. Subsection (5) is added to section 373.171,
110 Florida Statutes, to read:

111 373.171 Rules.—

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

116 Section 4. Section 373.228, Florida Statutes, is amended
117 to read:

118 373.228 Landscape irrigation ~~design~~.—

119 (1) The Legislature finds that multiple areas throughout
120 the state have been identified by water management districts as
121 water resource caution areas, which indicates that in the near
122 future water demand in those areas will exceed the current
123 available water supply and that conservation is one of the
124 mechanisms by which future water demand will be met.

125 (2) The Legislature finds that landscape irrigation
126 comprises a significant portion of water use and that current
127 typical landscape irrigation systems, ~~and~~ Florida-friendly

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128 landscaping designs, and landscape irrigation restrictions offer
129 significant potential water conservation benefits.

130 (3) It is the intent of the Legislature to improve
131 landscape irrigation water use efficiency by ensuring that
132 landscape irrigation systems meet or exceed minimum design
133 criteria and that, pursuant to s. 373.609, the landscape
134 irrigation restrictions of a water management district may be
135 implemented by ordinance of the applicable local governments.

136 (4) The water management districts shall work with the
137 Florida Nursery, Growers and Landscape Association, the Florida
138 Native Plant Society, the Florida Chapter of the American
139 Society of Landscape Architects, the Florida Irrigation Society,
140 the Department of Agriculture and Consumer Services, the
141 Institute of Food and Agricultural Sciences, the Department of
142 Environmental Protection, the Department of Transportation, the
143 Florida League of Cities, the Florida Association of Counties,
144 and the Florida Association of Community Developers to develop
145 landscape irrigation and Florida-friendly landscaping design
146 standards for new construction which incorporate a landscape
147 irrigation system and develop scientifically based model
148 guidelines for urban, commercial, and residential landscape
149 irrigation, including drip irrigation, for plants, trees, sod,
150 and other landscaping. The standards must ~~shall~~ be based on the
151 irrigation code defined in the Florida Building Code, Plumbing
152 Volume, Appendix F. Local governments shall use the standards
153 and guidelines when developing landscape irrigation and Florida-
154 friendly landscaping ordinances. By January 1, 2011, the
155 agencies and entities specified in this subsection shall review
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156 the standards and guidelines to determine whether new research
157 findings require a change or modification of the standards and
158 guidelines.

159 (5) Local governments may adopt ordinances that implement
160 landscape irrigation restrictions as set forth in water
161 management district rules or orders. In evaluating water use
162 applications from public water suppliers, water management
163 districts shall consider whether the applicable local government
164 has adopted an ordinance implementing such landscape irrigation
165 restrictions and has adopted ordinances for landscaping and
166 irrigation systems consistent with the Florida-friendly
167 landscaping provisions of s. 373.185.

168 Section 5. Subsection (9) is added to section 373.246,
169 Florida Statutes, to read:

170 373.246 Declaration of water shortage or emergency.-

171 (9) Local governments may adopt ordinances that implement
172 water shortage and emergency orders under this section and s.
173 373.175.

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T I T L E A M E N D M E N T

178 Remove the entire title and insert:

180 A bill to be entitled

181 An act relating to the water resources; amending s.

182 373.1961, F.S.; revising requirements for the expenditure

183 of funds provided pursuant to the Water Protection and

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184 Sustainability Program; specifying authority for the
185 Northwest Florida Water Management District and the
186 Suwannee River Water Management District to use such funds
187 for additional purposes; amending s. 373.0693, F.S.;
188 revising provisions relating to the membership of basin
189 boards; specifying the terms of service for basin board
190 members designated by district governing board chairs;
191 providing that basin board members designated by district
192 governing board chairs are voting members and counted for
193 quorum purposes; providing for designated district
194 governing board members to serve as basin board chairs and
195 co-chairs; authorizing basin boards to transact official
196 business under certain conditions; revising provisions
197 relating to the membership of the Manasota Basin Board;
198 providing for the designation of a member of the district
199 governing board to serve on the basin board; amending s.
200 373.171, F.S.; exempting cooperative funding programs from
201 certain rulemaking requirements; amending s. 373.228,
202 F.S.; revising provisions relating to the authority of
203 local governments to adopt and implement, by ordinance,
204 specified landscape irrigation restrictions; amending s.
205 373.246, F.S.; authorizing local governments to adopt
206 ordinances that implement specified water shortage and
207 emergency orders; providing an effective date.

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