

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Agriculture & Natural
2 Resources Subcommittee
3 Representative Porter offered the following:
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
7 Section 1. Subsection (7) is added to section 373.046,
8 Florida Statutes, to read:

9 373.046 Interagency agreements.-

10 (7) If the geographic area of a resource management
11 activity, study, or project crosses water management district
12 boundaries, the affected districts may designate a single
13 affected district to conduct all or part of the applicable
14 resource management responsibilities under this chapter, not
15 including those regulatory responsibilities that are subject to
16 subsection(6). If funding assistance is provided to a resource
17 management activity, study, or project, the district providing
18 the funding must ensure that some or all the benefits accrue to

Amendment No.

19 the funding district. This subsection shall not impair any
20 interagency agreement in effect on July 1, 2012.

21 Section 2. Subsection (6) is added to section 373.223,
22 Florida Statutes, to read:

23 373.223 Conditions for a permit.—

24 (6) In determining the effect of a proposed consumptive
25 use of water on the water resources of an adjoining district,
26 the governing board shall apply, without adopting by rule, the
27 reservations, minimum flows and levels, and recovery or
28 prevention strategies adopted by rule after July 1, 2012, by the
29 adjoining district. The governing board may not authorize a
30 consumptive use of water that violates any reservation adopted
31 pursuant to subsection (4) or any minimum flow or level adopted
32 pursuant to ss. 373.042 and 373.0421, after July 1, 2012, unless
33 such permit is issued in accordance with the recovery or
34 prevention strategy adopted by rule by the adjoining district.
35 The district may grant a variance from the recovery or
36 prevention strategy if the applicant identifies an alternative
37 strategy to assist with the recovery of or the prevention of
38 harm to a water body. Any rule applied pursuant to this
39 subsection that is challenged under s. 120.56 or s. 120.569
40 shall be defended by the district that adopted the rule. This
41 subsection does not apply to and may not be considered for any
42 permit issued before July 1, 2012 during a review of a
43 compliance report submitted pursuant to s. 373.236.

44 Notwithstanding, a district must consider a reservation, minimum
45 flows and levels, and recovery strategies adopted by rule after
46 July 1, 2012 by the adjoining district if a modification of a

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Amendment No.

47 permit issued prior to July 1, 2012 is requested by the
48 permittee to increase permitted quantities or to transfer of
49 permitted quantities to a new or existing source.

50 Section 3. Section 373.605, Florida Statutes, is amended to
51 read:

52 373.605 Group insurance for water management districts.—

53 (1) The governing board of a any water management district may
54 ~~is hereby authorized and empowered to~~ provide group insurance
55 for its employees in the same manner and with the same
56 provisions and limitations authorized for other public employees
57 by ss.112.08, 112.09, 112.10, 112.11, and 112.14.

58 (2) The governing board of a water management district may
59 provide group insurance for its employees and the employees of
60 another water management district in the same manner and with
61 the same provisions and limitations authorized for other public
62 employees by ss.112.08, 112.09, 112.10, 112.11, and 112.14.

63 ~~(2) Any and all insurance agreements in effect as of~~
64 ~~October 1, 1974, which conform to the provisions of this section~~
65 ~~are hereby ratified.~~

66 Section 4. Subsection 373.709(3), Florida Statutes, is
67 amended to read:

68 373.709 Regional water supply planning.—

69 (3) The water supply development component of a regional
70 water supply plan which deals with or affects public utilities
71 and public water supply for those areas served by a regional
72 water supply authority and its member governments ~~within the~~
73 ~~boundary of the Southwest Florida Water Management District~~
74 shall be developed jointly by the authority and the applicable

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Amendment No.

75 water management district. In areas not served by regional
76 water supply authorities, or other multijurisdictional water
77 supply entities, and where opportunities exist to meet water
78 supply needs more efficiently through multijurisdictional
79 projects identified pursuant to paragraph (2) (a), water
80 management districts are directed to assist in developing
81 multijurisdictional approaches to water supply project
82 development jointly with affected water utilities, special
83 districts, and local governments.

84 Section 5. Subsection (5) is added to section 373.171,
85 Florida Statutes, to read:

86 373.171 Rules.—

87 (5) Cooperative funding programs are not subject to the
88 rulemaking requirements of chapter 120. However, any portion of
89 an approved program which affects the substantial interests of a
90 party is subject to s. 120.569.

91 Section 6. This act shall take effect July 1, 2012.

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

96 Remove the entire title and insert:

97 An act relating to water management districts; amending s.
98 373.046, F.S.; authorizing districts to enter into interagency
99 agreements for resource management activities under specific
100 conditions; providing applicability; amending s. 373.223, F.S.;

101 requiring districts to apply specific reservations, minimum
102 flows and levels, and recovery and prevention strategies in

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 157 (2012)

Amendment No.

103 determining certain effects of proposed consumptive uses of
104 water; providing an exception; providing requirements for the
105 challenge of specified rules; providing applicability; amending
106 s. 373.605, F.S.; authorizing a district to provide a group
107 health insurance for its employees and the employees of another
108 district; removing obsolete provisions; amending s. 373.709,
109 F.S.; removing reference to Southwest Florida Water Management
110 District; establishing provision for applicable water management
111 district; amending s. 373.171, F.S.; exempting cooperative
112 funding programs from certain rulemaking requirements providing
113 an effective date.