

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: SB 412

INTRODUCER: Senator Detert

SUBJECT: Governing Board of the Southwest Florida Water Management District

DATE: January 30, 2013      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gudeman	Uchino	EP	<b>Pre-meeting</b>
2.	_____	_____	CA	_____
3.	_____	_____	RC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill reduces the number of Southwest Florida Water Management District (SWFWMD) Governing Board (board) members from 13 to 9 and revises residency requirements. The number of board members residing in Hillsborough, Pinellas, and Polk Counties is reduced from 2 to 1. The bill eliminates the board member from Hillsborough and Pinellas County. Sarasota and Manatee Counties will have one board member appointed at large, and Desoto and Charlotte Counties will have one board member appointed at large. The revisions to the board membership are specific to the SWFWMD board and do not apply to current board members until their terms are complete.

The bill substantially amends section 373.073, F.S., and creates an unnumbered section of law.

**II. Present Situation:**

The SWFWMD board includes 13 members, which is greater than the other four water management districts that have 9 board members. The SWFWMD board members establish policies for the 16-county district and have experience in areas including, but not limited to, agriculture, development, local governments, water utilities, law, civil engineering, environmental science, hydrology, accounting, and finance.<sup>1</sup>

<sup>1</sup> See s. 373.073, F.S.

In 1988 chapter 88-242, Laws of Florida, was enacted, which expanded the SWFWMD board from 9 board members to 11 effective July 1, 1990.<sup>2</sup> In 2007 the Legislature voted to add two additional seats for a total of 13 board members.<sup>3</sup>

The increase in membership was the result of water supply conflicts in Tampa Bay that date back to the 1970s. In an effort to resolve these issues, Tampa Bay Water (formerly the West Coast Regional Water Supply Authority) was created in 1998 through an interlocal agreement between the cities of New Port Richey, St. Petersburg, and Tampa, and Hillsborough, Pinellas, and Pasco Counties. The cities and counties are now working collaboratively under Tampa Bay Water to provide water to the area in a reliable, cost-effective, and environmentally sound manner.<sup>4</sup>

The board membership is filled according to the following residency requirements:

- Two board members from Hillsborough County;
- One board member from the area consisting of Hillsborough and Pinellas Counties;
- Two board members from in Pinellas Counties;
- One board member from Manatee County;
- Two board members from Polk County;
- One board member from Pasco County;
- One board member appointed at large from Levy, Citrus, Sumter, and Lake Counties;
- One board member appointed at large from Hardee and Highlands Counties;
- One board member appointed at large from Marion and Hernando Counties; and
- One board member appointed at large from Sarasota and Charlotte Counties.

New gubernatorial appointments will begin in 2014.

### III. Effect of Proposed Changes:

**Section 1** amends s. 373.073, F.S.;

- Decreasing the overall number of SWFWMD board members from 13 to 9 by:
- Decreasing the number of board members from Polk County from 2 to 1;
- Decreasing the number of board members from Hillsborough County from 2 to 1;
- Decreasing the number of board members from Pinellas County from 2 to 1;
- Requiring one board member appointed at large from Sarasota and Manatee Counties, which eliminates the single board member from Manatee county;
- Requiring one board member appointed at large from Desoto and Charlotte Counties.
- Eliminating the board member from Hillsborough and Pinellas County;
- Requiring one board member appointed at large from Hardee and Highlands Counties;
- There are no changes to the board member from Pasco County;
- There are no changes to the board member from Marion and Hernando Counties; and
- There are no changes to the board member from Levy, Citrus, Sumter, and Lake Counties.

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<sup>2</sup> Chapter 88-242, L.O.F.

<sup>3</sup> *Supra* note 1.

<sup>4</sup> Tampa Bay Water, *About Tampa Bay Water*, <http://www.tampabaywater.org/about-tampa-bay-water.aspx> (last visited Jan. 31, 2013).

**Section 2** creates an unnumbered section of law clarifying that the residency requirements do not apply to an incumbent member of the board until the member's term has expired and that the residency requirements only apply to the SWFWMD board.

**Section 3** provides an effective date of July 1, 2013.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The current SWFWMD budget allows for \$1,345 each year per board member to cover travel expenses, cost of training, and conferences. It costs approximately \$260 per year to print and mail the monthly board meeting materials. A reduction in board members from 13 to 9 would provide a cost savings of \$6,420.<sup>5</sup>

The SWFWMD dedicates an average of 187 hours of staff time to each board member a month. A reduction in board members would reduce the amount of staff time spent with board member to an average of 119 hours per month.<sup>6</sup>

**VI. Technical Deficiencies:**

None.

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<sup>5</sup> E-mail from Colleen Thayer, Bureau Chief, Public Affairs, SWFWMD, (Jan. 30, 2013) (on file with the Senate Committee on Environmental Preservation and Conservation).

<sup>6</sup> *Id.*

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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