



303674

LEGISLATIVE ACTION

Senate

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House

Senator Detert moved the following:

Senate Amendment (with title amendment)

Between lines 121 and 122
insert:

Section 4. 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 governing
board ~~of the district~~ may change the boundaries of such basins,
or create new basins, by resolution.



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

17 (2) Each basin shall be under the control of a basin board
18 ~~which shall be~~ composed of district governing board members
19 residing in the basin or appointed by the governing board chair,
20 plus any residents of the basin who are not members of the
21 district governing board whom the Governor may choose to
22 appoint. The basin board must have at least ~~not less than~~ three
23 members, ~~but shall include one representative from each of the~~
24 ~~counties included in the basin.~~

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

42 (4) Members of a basin board ~~boards shall be~~ appointed by



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43 the Governor are, subject to confirmation by the Senate at the
44 next regular session of the Legislature.; ~~and~~ The refusal or
45 failure of the Senate to confirm an appointment shall create a
46 vacancy in the office to which the appointment was made.

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

59 (6) (a) Notwithstanding any other provision of the
60 ~~provisions of any other~~ general or special law ~~to the contrary,~~
61 members a member of the district governing board serving on a
62 basin board pursuant to subsection (2) are voting members of the
63 basin board and are counted for purposes of establishing a
64 quorum. ~~of the district residing in the basin or, if no member~~
65 ~~resides in the basin, a member of the governing board designated~~
66 ~~by the chair of the governing board shall be~~

67 (b) A district governing board member shall serve as the
68 chair of the basin board. Each governing board member shall
69 rotate as co-chair. The chair or co-chair shall preside at all
70 meetings of the basin board, except that the co-chair ~~vice chair~~
71 may preside in the ~~his or her~~ absence of the chair. The chair



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72 shall be the liaison officer of the district in all affairs in
73 the basin and shall be kept informed of all such affairs.

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

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

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



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101 ~~District. Notwithstanding other provisions in this section,~~
102 ~~beginning on July 1, 2001, the membership of the Manasota Basin~~
103 ~~Board shall be comprised of two members from Manatee County and~~
104 ~~two members from Sarasota County. Matters relating to tie votes~~
105 ~~shall be resolved pursuant to subsection (6) by the chair~~
106 ~~designated by the governing board to vote in case of a tie vote.~~

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

109 373.171 Rules.—

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

114 Section 6. Section 373.609, Florida Statutes, is amended to
115 read:

116 373.609 Enforcement; city and county officers to assist.—It
117 is shall be the duty of every state and county attorney,
118 sheriff, police officer, and other appropriate city and county
119 official, upon request, to assist the department, the governing
120 board of any water management district, or any local board, or
121 any of their agents in the enforcement of the provisions of this
122 law and the rules and regulations adopted thereunder.

123 Notwithstanding s. 373.217, local governments may adopt
124 ordinances that implement restrictions on landscape irrigation
125 as set forth in water management district rules or orders.

126 Section 7. Paragraph (c) of subsection (8) of section
127 373.707, Florida Statutes, is amended to read:

128 373.707 Alternative water supply development.—

129 (8)



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130 (c) ~~The~~ Financial assistance for alternative water supply
131 projects allocated in each district's budget as required in
132 subsection (6) shall be combined with the state funds and used
133 to assist in funding the project construction costs of
134 alternative water supply projects and the project costs of
135 conservation projects that result in quantifiable water savings
136 selected by the governing board. ~~If the district has not~~
137 ~~completed any regional water supply plan, or the regional water~~
138 ~~supply plan does not identify the need for any alternative water~~
139 ~~supply projects,~~ Funds deposited in the Water Protection and
140 Sustainability Program Trust Fund to the credit of the Suwannee
141 River Water Management District ~~that district's trust fund~~ may
142 also be used for regional water supply planning, water resource
143 development, and water resource projects, including, but not
144 limited to, springs protection.

145
146 ===== T I T L E A M E N D M E N T =====

147 And the title is amended as follows:

148
149 Delete line 25
150 and insert:

151
152 permit; amending s. 373.0693, F.S.; revising
153 provisions relating to the membership of basin boards;
154 specifying membership, appointment of members, and
155 terms of service; providing that basin board members
156 who are members of district governing boards are
157 voting members and are counted for quorum purposes;
158 providing that district governing board members shall



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159 serve as the basin board chair and as co-chairs;
160 providing that a quorum of remaining members may
161 conduct business if there is a vacancy on the board;
162 deleting provisions relating to the governing board of
163 the Manasota Basin Board; amending s. 373.171, F.S.;
164 exempting cooperative funding programs from certain
165 rulemaking requirements; amending s. 373.609, F.S.;
166 providing that local governments may adopt
167 restrictions on landscape irrigation as set forth in
168 district rules or orders; amending s. 373.707, F.S.;
169 authorizing water management districts to use certain
170 moneys in the Water Protection and Sustainability
171 Program Trust Fund for water resource development
172 projects; providing an effective date.