

STORAGE NAME: h1685z.lgva.doc
DATE: July 1, 2002

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 2002-383, Laws of Florida

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
LOCAL GOVERNMENT & VETERANS AFFAIRS
FINAL ANALYSIS – LOCAL LEGISLATION**

BILL #: HB 1685
RELATING TO: Fla. West Coast Water Company
SPONSOR(S): Representative Russell

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC) YEAS 9 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

The bill repeals a special act granting permission for the West Coast Water Company, the predecessor to Tampa Bay Water, a Regional Water Supply Authority, to withdraw water from Weekiwachee River or Spring, located in Hernando County, for the purpose of supplying water to municipalities for public and domestic use.

According to the Economic Impact Statement, this bill does not impact state or local budgets.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Under the provisions of an existing special act, the State of Florida has granted permission for West Coast Water Company, the predecessor to Tampa Bay Water, a Regional Water Supply Authority, (Authority) to withdraw water from Weekiwachee River or Spring, located in Hernando County, for the purpose of supplying water to municipalities for public and domestic use.

The Authority which was at one time the West Coast Water Company, is an independent special district created by interlocal agreement among Hillsborough County, Pasco County, Pinellas County, the City of St. Petersburg, the City of New Port Richey and the City of Tampa. They provide wholesale water to area utilities, who in turn provide water to nearly 2 million people in the tri-county area. The Authority currently has the authority to draw water from Weekiwachee River or Spring in Hernando County, but does not currently do so. The Authority does not serve Hernando County.

C. EFFECT OF PROPOSED CHANGES:

The bill repeals a special act granting the State's permission for the West Coast Water Company, the predecessor to Tampa Bay Water, a Regional Water Supply Authority, to withdraw water from Weekiwachee River or Spring, which is located in Hernando County, for the purpose of supplying water to municipalities for public and domestic use.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Repeals Chapter 14094, 1929, Laws of Florida.

Section 2: This act takes effect upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

December 17, 2001

WHERE? Hernando Times, Brooksville, Hernando County, Florida

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

A conversation with the General Counsel of the Southwest Florida Water Management District has revealed that the Weekiwachee River or Spring located in Hernando County has recently been added to Tampa Bay Water's Future Water Supply Planning Comprehensive Project List. An existing 1929 special act allows Tampa Bay Water, a Regional Water Supply Authority (Authority), to withdraw water from there even though the water source is in Hernando County, an area that is not served by the Authority. The General Counsel has stated that the Authority should negotiate any future planned use of this resource with the Southwest Florida Water Management District. As long as the current special act is in place, the Authority has the authority to withdraw water from Weekiwachee River or Spring which is not located in an area that is served by the Authority.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VI. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Staff Director:

Kevin Doyle

Joan Highsmith-Smith

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

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