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1                                   A bill to be entitled  
 2           An act relating to a review of the water management  
 3           districts under the Florida Government Accountability Act;  
 4           reenacting s. 373.069, F.S.; relating to the establishment  
 5           of the water management districts; amending s.373.0693,  
 6           F.S.; relating to basin boards; establishing a limit on  
 7           the time a basin board member may serve beyond an expired  
 8           term; reducing the number of basin board members on the  
 9           Manasota Basin; eliminating the Oklawaha River Basin  
 10          Advisory Council; creating s. 373.072, F.S.; relating to  
 11          the establishment of the Florida Water Management District  
 12          Governing Board Nominating Council; providing for the  
 13          membership and appointment of council members; providing  
 14          provisions for the qualification and nomination of  
 15          individuals to be considered for gubernatorial appointment  
 16          as members of the water management district governing  
 17          boards; amending s. 373.073, F.S.; relating to water  
 18          management district governing boards; revising the  
 19          membership of water management district governing boards,  
 20          requiring gubernatorial appointments as members of the  
 21          water management district governing boards to be from a  
 22          list of qualified candidates nominated by the Florida  
 23          Water Management District Governing Board Nominating  
 24          Council; amending s. 373.079 F.S.; relating the powers of  
 25          the water management district governing boards; requiring  
 26          water management district governing boards to delegate the  
 27          authority to approve certain permits to the water  
 28          management district's executive director; amending s.

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29 | 373.083, F.S.; relating to general powers of water  
 30 | management district governing board; requiring water  
 31 | management district governing boards to delegate the  
 32 | authority to approve certain permits to the water  
 33 | management district's executive director; repealing s.  
 34 | 373.118, F.S.; relating to the delegation of authority to  
 35 | issue general permits; amending s. 373.536, F.S.; relating  
 36 | to the water management districts budgets and fiscal year;  
 37 | revising fiscal year dates for water management districts;  
 38 | revising the date by which water management districts must  
 39 | submit tentative budgets to the Governor and the  
 40 | Legislature; revising the reporting requirements of the  
 41 | tentative budget; revising the date for the Legislature to  
 42 | comment on such budgets; revising the date by which the  
 43 | Executive Office of the Governor must file a specified  
 44 | report with the Legislature; repealing s.373.465, F.S.;  
 45 | eliminating the Lake Panasoffkee Restoration Council;  
 46 | amending s. 373.584, F.S.; relating to authorization for  
 47 | water management districts to issue revenue bonds;  
 48 | relating to authorization for water management districts  
 49 | to issue revenues bonds; revises the definition of revenue  
 50 | bonds; amending s. 373.59, F.S.; relating to Water  
 51 | Management Lands Trust Funds; regarding the total number  
 52 | of payment in lieu of taxes a county may receive;  
 53 | authorizing the use of specified funds; providing an  
 54 | effective date.

55 |  
 56 | Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 373.069, Florida Statutes, is reenacted.

Section 2. Subsections (3) and (7), and paragraph (a) of subsection (8) of section 373.0693, Florida Statutes, are amended to read:

373.0693 Basin; basin boards --

(3) Each member of the various basin boards shall serve for a period of 3 years or until a successor is appointed, but not more than 180 days beyond the end of the expired term, except that the board membership of each new basin shall be divided into three groups as equally as possible, with members in such groups to be appointed for 1, 2, and 3 years, respectively. Each basin board shall choose a vice chair and a secretary to serve for a period of 1 year. The term of office of a basin board member shall be construed to commence on March 2 preceding the date of appointment and to terminate March 1 of the year of the end of a term or may continue until a successor is appointed, but not more than 180 days beyond the end of the expired term.

(7) At 11:59 p.m. on December 31, 1976, the Manasota Watershed Basin of the Ridge and Lower Gulf Coast Water Management District, which is annexed to the Southwest Florida Water Management District by change of its boundaries pursuant to chapter 76-243, Laws of Florida, shall be formed into a subdistrict or basin of the Southwest Florida Water Management District, subject to the same provisions as the other basins in such district. Such subdistrict shall be designated initially as

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85 the Manasota Basin. The members of the governing board of the  
 86 Manasota Watershed Basin of the Ridge and Lower Gulf Coast Water  
 87 Management District shall become members of the governing board  
 88 of the Manasota Basin of the Southwest Florida Water Management  
 89 District. Notwithstanding other provisions in this section,  
 90 beginning on July 1, 2001, the membership of the Manasota Basin  
 91 Board shall be comprised of two ~~three~~ members from Manatee  
 92 County and two ~~three~~ members from Sarasota County. Matters  
 93 relating to tie votes shall be resolved pursuant to subsection  
 94 (6) by the ex officio chair designated by the governing board to  
 95 vote in case of a tie vote.

96 (8) (a) At 11:59 p.m. on June 30, 1988, the area  
 97 transferred from the Southwest Florida Water Management District  
 98 to the St. Johns River Water Management District by change of  
 99 boundaries pursuant to chapter 76-243, Laws of Florida, shall  
 100 cease to be a subdistrict or basin of the St. Johns River Water  
 101 Management District known as the Oklawaha River Basin and said  
 102 Oklawaha River Basin shall cease to exist. However, any  
 103 recognition of an Oklawaha River Basin or an Oklawaha River  
 104 Hydrologic Basin for regulatory purposes shall be unaffected.  
 105 The area formerly known as the Oklawaha River Basin shall  
 106 continue to be part of the St. Johns River Water Management  
 107 District. ~~There shall be established by the governing board of~~  
 108 ~~the St. Johns River Water Management District the Oklawaha River~~  
 109 ~~Basin Advisory Council to receive public input and advise the~~  
 110 ~~St. Johns River Water Management District's governing board on~~  
 111 ~~water management issues affecting the Oklawaha River Basin. The~~  
 112 ~~Oklawaha River Basin Advisory Council shall be appointed by~~

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113 ~~action of the St. Johns River Water Management District's~~  
 114 ~~governing board and shall include one representative from each~~  
 115 ~~county which is wholly or partly included in the Oklawaha River~~  
 116 ~~Basin. The St. Johns River Water Management District's governing~~  
 117 ~~board member currently serving pursuant to s. 373.073(2)(c)3.~~  
 118 ~~shall serve as chair of the Oklawaha River Basin Advisory~~  
 119 ~~Council. Members of the Oklawaha River Basin Advisory Council~~  
 120 ~~shall receive no compensation for their services but are~~  
 121 ~~entitled to be reimbursed for per diem and travel expenses as~~  
 122 ~~provided in s. 112.061.~~

123 Section 3. Section 373.072, Florida Statutes, is created  
 124 to read:

125 373.072 Florida Water Management District Governing Board  
 126 Nominating Council.--

127 (1) LEGISLATIVE INTENT.--It is the intent of the  
 128 legislature to ensure the public trust and resources are  
 129 appropriately protected by seeking qualified candidates for  
 130 gubernatorial appointment as water management district governing  
 131 board members.

132 (2) ESTABLISHMENT OF THE COUNCIL.--

133 (a) There is created a Florida Water Management District  
 134 Governing Board Nominating Council.

135 (b) The council shall consist of 12 members composed of  
 136 the following members:

137 1. Four members of the Senate, at least one of whom shall  
 138 be a member of the minority party, appointed by the President of  
 139 the Senate.

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140 2. Four members of the House of Representatives, at least  
 141 one of whom shall be a member of the minority party, appointed  
 142 by the Speaker of the House of Representatives.

143 3. Four members of the public, two appointed by the  
 144 President of the Senate and two appointed by the Speaker of the  
 145 House of Representatives.

146 (c) Council members shall be appointed for 4-years, except  
 147 those members of the House and Senate, who shall serve 2-year  
 148 terms concurrent with the 2-year elected terms of House members.  
 149 In order to establish staggered terms, appointments of council  
 150 members shall be made for initial terms as follows:

151 1. The President of the Senate shall appoint 4 members of  
 152 the Senate; two members to 1-year terms and two members to 2-  
 153 year terms.

154 2. The President of the Senate shall appoint two members  
 155 of the public; one member to a 1-year term, and one member to a  
 156 4-year term.

157 3. The Speaker of the House of Representatives shall  
 158 appoint four members of the House of Representatives; two  
 159 members to 1-year terms and two members to 2-year terms.

160 4. The Speaker of the House Representatives shall appoint  
 161 two members of the public; one member to a 2-year term, and one  
 162 member to a 3-year term.

163 (d) Initial terms shall begin on July 1, 2009 and  
 164 subsequent terms shall begin on January 1.

165 (e) Each vacancy on the council shall be filled for the  
 166 unexpired portion of the term in the same manner as the original  
 167 appointment to the council. A member may not be reappointed to

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168 the council, except for a council member initially appointed to  
 169 a term of less than four years or a person who is appointed to  
 170 fill the remaining portion of an unexpired term that is for a  
 171 period of less than 2 years.

172 (3) MEETINGS; ORGANIZATION.--

173 (a) A majority of the membership of the council  
 174 constitutes a quorum.

175 (b) All meetings and proceedings of the council shall be  
 176 subject to the provisions of ss. 119.07 and 286.011.

177 (c) Members of the council shall serve without  
 178 compensation, but are entitled to receive per diem and travel  
 179 expenses as provided in s. 112.061, which must be funded by the  
 180 Water Management Lands Trust Fund. The council expenses must be  
 181 reimbursed proportionately by the respective water management  
 182 district whose governing board vacancy is being filled.

183 (4) SCOPE OF ACTIVITIES.--

184 (a) The council shall establish uniform policies and  
 185 procedures governing the process by which applicants are  
 186 nominated.

187 (b) In order to nominate a candidate, the council shall  
 188 determine that:

189 1. The candidate is competent, knowledgeable, and  
 190 possesses substantial technical expertise in a field related to  
 191 the duties and functions of the water management districts.  
 192 These fields shall include, but are not limited to: agriculture,  
 193 the development industry, local government, government-owned or  
 194 privately owned water utilities, law, civil engineering,  
 195 environmental science, hydrology, accounting, financial

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196 businesses, another field substantially related to the duties  
 197 and functions of the water management district, or a member of  
 198 business community within the water management district's  
 199 boundaries.

200 2. The candidate is a homesteaded resident within the  
 201 district he or she is nominated to represent and the candidate  
 202 meets the residency requirement of s. 373.072(2) for the vacancy  
 203 being filled.

204 3. The candidate has a background investigation conducted  
 205 by the Florida Department of Law Enforcement and has been  
 206 determined to be of good moral standards.

207 (c) In developing a list of nominees, the council shall  
 208 ensure that no more than two governing board members on each  
 209 water management district governing board are residents of the  
 210 same county and no person can represent more than one water  
 211 management district governing board. The council shall consider  
 212 nominating candidates that represent an equitable cross-section  
 213 of regional interests and technical expertise. Recommendations  
 214 of the council must be nonpartisan.

215 (d) The council must nominate no fewer than three  
 216 qualified persons for each vacancy occurring on a water  
 217 management governing board, unless fewer than three qualified  
 218 candidates apply. The council shall submit the recommendations  
 219 to the Governor by September 15 of those years in which the  
 220 terms are to begin the following January, or within 60 days  
 221 after a vacancy occurs for any reason other than the expiration  
 222 of the term.



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223 (e) The council shall designate a primary candidate within  
 224 its recommendations. The primary candidate shall be considered  
 225 appointed by the Governor should the Governor fail to appoint a  
 226 governing board member from recommendations of the council  
 227 within 60 days of the receipt of such recommendations.

228 (f) Each water management district may advertise each  
 229 vacancy on its water management governing board or prominently  
 230 post the vacancy on the water management district's home web  
 231 page.

232 (g) The council expenses must be proportionately shared by  
 233 the respective water management district whose governing board  
 234 vacancy is being filled. The Florida Department of Environmental  
 235 Protection is authorized to execute a memorandum of  
 236 understanding between state's water management districts and the  
 237 department in order to fund the expenses of the Florida Water  
 238 Management District Governing Board Nominating Council.

239 (h) The water management districts shall assist the  
 240 council by providing staff, counsel, and technical assistance  
 241 necessary to carry out the responsibilities of the council.

242 Section 4. Section 373.073, Florida Statutes, is amended  
 243 to read:

244 373.073 Governing board.--

245 (1) (a) The governing board of each water management  
 246 district shall be composed of 9 members who shall reside within  
 247 the district, except that the Southwest Florida Water Management  
 248 District shall be composed of 13 members who shall reside within  
 249 the district. Members of the governing boards shall be appointed  
 250 by the Governor from a list of candidates nominated by the

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251 Florida Water Management District Governing Board Nominating  
 252 Council, subject to confirmation by the Senate at the next  
 253 regular session of the Legislature, and the refusal or failure  
 254 of the Senate to confirm an appointment creates a vacancy in the  
 255 office to which the appointment was made. The term of office for  
 256 a governing board member is 4 years and commences on March 2 of  
 257 the year in which the appointment is made and terminates on  
 258 March 1 of the fourth calendar year of the term or may continue  
 259 until a successor is appointed, but not more than 180 days.  
 260 Terms of office of governing board members shall be staggered to  
 261 help maintain consistency and continuity in the exercise of  
 262 governing board duties and to minimize disruption in district  
 263 operations.

264 (b) Commencing January 1, ~~1999~~ 2010, the Governor shall  
 265 appoint the following number of governing board members in each  
 266 year of the Governor's 4-year term of office:

267 1. In the first year of the Governor's term of office, the  
 268 Governor shall appoint three members to the governing board of  
 269 each district.

270 2. In the second year of the Governor's term of office,  
 271 the Governor shall appoint three members to the governing board  
 272 of the Southwest Florida Water Management District and two  
 273 members to the governing board of each other district.

274 3. In the third year of the Governor's term of office, the  
 275 Governor shall appoint three members to the governing board of  
 276 the Southwest Florida Water Management District and two members  
 277 to the governing board of each other district.

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278 4. In the fourth year of the Governor's term of office,  
 279 the Governor shall appoint two members to the governing board of  
 280 each district.

281  
 282 For any governing board vacancy that occurs before the date  
 283 scheduled for the office to be filled under this paragraph, the  
 284 Governor shall appoint a person ~~meeting residency requirements~~  
 285 ~~of subsection (2)~~ nominated by the Florida Water Management  
 286 District Governing Board Nominating Council for a term that will  
 287 expire on the date scheduled for the term of that office to  
 288 terminate under this subsection. ~~In addition to the residency~~  
 289 ~~requirements for the governing boards as provided by subsection~~  
 290 ~~(2), the Governor shall consider appointing governing board~~  
 291 ~~members to represent an equitable cross-section of regional~~  
 292 ~~interests and technical expertise.~~

293 (2) ~~Membership on governing boards shall be selected from~~  
 294 ~~candidates who have significant experience in one or more of the~~  
 295 ~~following areas, including, but not limited to: agriculture, the~~  
 296 ~~development industry, local government, government-owned or~~  
 297 ~~privately owned water utilities, law, civil engineering,~~  
 298 ~~environmental science, hydrology, accounting, or financial~~  
 299 ~~businesses.~~ Notwithstanding the provisions of any other general  
 300 or special law to the contrary, vacancies in the governing  
 301 boards of the water management districts shall be filled  
 302 according to the following residency requirements, representing  
 303 areas designated by the United States Water Resources Council in  
 304 United States Geological Survey, River Basin and Hydrological  
 305 Unit Map of Florida--1975, Map Series No. 72:

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306 (a) Northwest Florida Water Management District:  
 307 1. One member shall reside in the area generally  
 308 designated as the "Perdido River Basin-Perdido Bay Coastal Area-  
 309 Lower Conecuh River-Escambia River Basin" hydrologic units and  
 310 that portion of the "Escambia Bay Coastal Area" hydrologic unit  
 311 which lies west of Pensacola Bay and Escambia Bay.  
 312 2. One member shall reside in the area generally  
 313 designated as the "Blackwater River Basin-Yellow River Basin-  
 314 Choctawhatchee Bay Coastal Area" hydrologic units and that  
 315 portion of the "Escambia Bay Coastal Area" hydrologic unit which  
 316 lies east of Pensacola Bay and Escambia Bay.  
 317 3. One member shall reside in the area generally  
 318 designated as the "Choctawhatchee River Basin-St. Andrews Bay  
 319 Coastal Area" hydrologic units.  
 320 4. One member shall reside in the area generally  
 321 designated as the "Lower Chattahoochee-Apalachicola River-  
 322 Chipola River Basin-Coastal Area between Ochlockonee River  
 323 Apalachicola Rivers-Apalachicola Bay coastal area and offshore  
 324 islands" hydrologic units.  
 325 5. One member shall reside in the area generally  
 326 designated as the "Ochlockonee River Basin-St. Marks and Wakulla  
 327 Rivers and coastal area between Aucilla and Ochlockonee River  
 328 Basin" hydrologic units.  
 329 6. Four members shall be appointed at large, except that  
 330 no county shall have more than two members on the governing  
 331 board.  
 332 (b) Suwannee River Water Management District:

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- 333 |           1. One member shall reside in the area generally  
 334 | designated as the "Aucilla River Basin" hydrologic unit.  
 335 |           2. One member shall reside in the area generally  
 336 | designated as the "Coastal Area between Suwannee and Aucilla  
 337 | Rivers" hydrologic unit.  
 338 |           3. One member shall reside in the area generally  
 339 | designated as the "Withlacoochee River Basin-Alapaha River  
 340 | Basin-Suwannee River Basin above the Withlacoochee River"  
 341 | hydrologic units.  
 342 |           4. One member shall reside in the area generally  
 343 | designated as the "Suwannee River Basin below the Withlacoochee  
 344 | River excluding the Santa Fe River Basin" hydrologic unit.  
 345 |           5. One member shall reside in the area generally  
 346 | designated as the "Santa Fe Basin-Waccasassa River and coastal  
 347 | area between Withlacoochee and Suwannee River" hydrologic units.  
 348 |           6. Four members shall be appointed at large, except that  
 349 | no county shall have more than two members on the governing  
 350 | board.  
 351 |           (c) St. Johns River Water Management District:  
 352 |           1. One member shall reside in the area generally  
 353 | designated as the "St. Marys River Basin-Coastal area between  
 354 | St. Marys and St. Johns Rivers" hydrologic units.  
 355 |           2. One member shall reside in the area generally  
 356 | designated as the "St. Johns River Basin below Oklawaha River-  
 357 | Coastal area between the St. Johns River and Ponce de Leon  
 358 | Inlet" hydrologic units.  
 359 |           3. One member shall reside in the area generally  
 360 | designated as the "Oklawaha River Basin" hydrologic unit.

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361 4. One member shall reside in the area generally  
 362 designated as the "St. Johns River Basin above the Oklawaha  
 363 River" hydrologic unit.

364 5. One member shall reside in the area generally  
 365 designated as the "Coastal area between Ponce de Leon Inlet and  
 366 Sebastian Inlet-Coastal area Sebastian Inlet to St. Lucie River"  
 367 hydrologic units.

368 6. Four members shall be appointed at large, except that  
 369 no county shall have more than two members on the governing  
 370 board.

371 (d) South Florida Water Management District:

372 1. Two members shall reside in Miami-Dade County.

373 2. One member shall reside in Broward County.

374 3. One member shall reside in Palm Beach County.

375 4. One member shall reside in Collier County, Lee County,  
 376 Hendry County, or Charlotte County.

377 5. One member shall reside in Glades County, Okeechobee  
 378 County, Highlands County, Polk County, Orange County, or Osceola  
 379 County.

380 6. Two members, appointed at large, shall reside in an  
 381 area consisting of St. Lucie, Martin, Palm Beach, Broward,  
 382 Miami-Dade, and Monroe Counties.

383 7. One member, appointed at large, shall reside in an area  
 384 consisting of Collier, Lee, Charlotte, Hendry, Glades, Osceola,  
 385 Okeechobee, Polk, Highlands, and Orange Counties.

386 8. No county shall have more than three members on the  
 387 governing board.

388 (e) Southwest Florida Water Management District:

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- 389 | 1. Two members shall reside in Hillsborough County.
- 390 | 2. One member shall reside in the area consisting of
- 391 | Hillsborough and Pinellas Counties.
- 392 | 3. Two members shall reside in Pinellas County.
- 393 | 4. One member shall reside in Manatee County.
- 394 | 5. Two members shall reside in Polk County.
- 395 | 6. One member shall reside in Pasco County.
- 396 | 7. One member shall be appointed at large from Levy,
- 397 | Citrus, Sumter, and Lake Counties.
- 398 | 8. One member shall be appointed at large from Hardee,
- 399 | DeSoto, and Highlands Counties.
- 400 | 9. One member shall be appointed at large from Marion and
- 401 | Hernando Counties.
- 402 | 10. One member shall be appointed at large from Sarasota
- 403 | and Charlotte Counties.
- 404 | Section 5. Subsection (4) of section 373.079, Florida
- 405 | Statutes, is amended to read:
- 406 | 373.079 Members of governing board; oath of office;
- 407 | staff.--
- 408 | (4) (a) The governing board of the district is authorized
- 409 | to employ an executive director, ombudsman, and such engineers,
- 410 | other professional persons, and other personnel and assistants
- 411 | as it deems necessary and under such terms and conditions as it
- 412 | may determine and to terminate such employment. The appointment
- 413 | of an executive director by the governing board is subject to
- 414 | approval by the Governor and must be initially confirmed by the
- 415 | Florida Senate. The governing board may delegate all or part of
- 416 | its authority under this paragraph to the executive director.

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417 However, the governing board shall delegate to the executive  
 418 director, all of its authority to take final action on permit  
 419 applications under part II and part IV, or petitions for  
 420 variances or waviers of permitting requirements under part II or  
 421 part IV, except for denials of such actions as provided in  
 422 s.373.083(5). The executive director must be confirmed by the  
 423 Senate upon employment and must be confirmed or reconfirmed by  
 424 the Senate during the second regular session of the Legislature  
 425 following a gubernatorial election.

426 (b)1. The governing board of each water management  
 427 district shall employ an inspector general, who shall report  
 428 directly to the board. However, the governing boards of the  
 429 Suwannee River Water Management District and the Northwest  
 430 Florida Water Management District may jointly employ an  
 431 inspector general, or provide for inspector general services by  
 432 interagency agreement with a state agency or water management  
 433 district inspector general.

434 2. An inspector general must have the qualifications  
 435 prescribed and perform the applicable duties of state agency  
 436 inspectors general as provided in s. 20.055.

437 Section 6. Subsection (5)of section 373.083, Florida  
 438 Statutes, is amended to read:

439 373.083 General powers and duties of the governing  
 440 board.--In addition to other powers and duties allowed it by  
 441 law, the governing board is authorized to:

442 (5) Execute any of the powers, duties, and functions  
 443 vested in the governing board through a member or members  
 444 thereof, the executive director, or other district staff as



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445 designated by the governing board. The governing board may  
 446 establish the scope and terms of any delegation. The ~~However, if~~  
 447 ~~the governing board shall delegate all of its delegates the~~  
 448 authority to the executive director take final action on permit  
 449 applications under part II or part IV, or petitions for  
 450 variances or waivers of permitting requirements under part II or  
 451 part IV. However, the governing board shall provide a process  
 452 for referring any denial of such application or petition to the  
 453 governing board to take final action. The authority in this  
 454 subsection is supplemental to any other provision of this  
 455 chapter granting authority to the governing board to delegate  
 456 specific powers, duties, or functions.

457 Section 7. Subsection (4) of section 373.118, Florida  
 458 Statutes, is amended to read:

459 373.118 General permits; delegation.--

460 ~~(4) To provide for greater efficiency, the governing board~~  
 461 ~~may delegate by rule its powers and duties pertaining to general~~  
 462 ~~permits to the executive director. The executive director may~~  
 463 ~~execute such delegated authority through designated staff.~~  
 464 ~~However, when delegating the authority to take final action on~~  
 465 ~~permit applications under part II or part IV or petitions for~~  
 466 ~~variances or waivers of permitting requirements under part II or~~  
 467 ~~part IV, the governing board shall provide a process for~~  
 468 ~~referring any denial of such application or petition to the~~  
 469 ~~governing board to take such final action.~~

470 Section 8. Subsection (1), (2), and (5) of section  
 471 373.536, Florida Statutes, are amended to read:

472 373.536 District budget and hearing thereon.--

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473 (1) FISCAL YEAR.--The fiscal year of districts created  
 474 under the provisions of this chapter shall extend from July  
 475 ~~October~~ 1 of one year through June ~~September~~ 30 of the following  
 476 year.

477 (2) BUDGET SUBMITTAL.--The budget officer of the district  
 478 shall, ~~on or before July 15 of each year,~~ submit for  
 479 consideration by the governing board of the district a tentative  
 480 budget for the district covering its proposed operations and  
 481 funding requirements for the ensuing fiscal year.

482 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
 483 APPROVAL.--

484 (a) The Executive Office of the Governor is authorized to  
 485 approve or disapprove, in whole or in part, the budget of each  
 486 water management district and shall analyze each budget as to  
 487 the adequacy of fiscal resources available to the district and  
 488 the adequacy of district expenditures related to water supply,  
 489 including water resource development projects identified in the  
 490 district's regional water supply plans; water quality; flood  
 491 protection and floodplain management; and natural systems. This  
 492 analysis shall be based on the particular needs within each  
 493 water management district in those four areas of responsibility.

494 (b) The Executive Office of the Governor and the water  
 495 management districts shall develop a process to facilitate  
 496 review and communication regarding water management district  
 497 budgets, as necessary. Written disapproval of any provision in  
 498 the tentative budget must be received by the district at least 5  
 499 business days prior to the final district budget adoption  
 500 hearing conducted under s. 200.065(2)(d). If written disapproval

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501 of any portion of the budget is not received at least 5 business  
 502 days prior to the final budget adoption hearing, the governing  
 503 board may proceed with final adoption. Any provision rejected by  
 504 the Governor shall not be included in a district's final budget.

505 (c) Each water management district shall, by February  
 506 ~~August~~ 1 of each year, submit for review a tentative budget to  
 507 the Governor, the President of the Senate, the Speaker of the  
 508 House of Representatives, the chairs of all legislative  
 509 committees and subcommittees with substantive or fiscal  
 510 jurisdiction over water management districts, as determined by  
 511 the President of the Senate or the Speaker of the House of  
 512 Representatives as applicable, the secretary of the department,  
 513 and the governing body of each county in which the district has  
 514 jurisdiction or derives any funds for the operations of the  
 515 district.

516 (d) The tentative budget must set forth the proposed  
 517 expenditures of the district, to which may be added an amount to  
 518 be held as reserve. The tentative budget must include, but is  
 519 not limited to, the following information for the preceding  
 520 fiscal year and the current fiscal year, and the proposed  
 521 amounts for the upcoming fiscal year, in a standard format  
 522 prescribed by the Executive Office of the Governor:

523 1. The estimated amount of funds remaining at the  
 524 beginning of the fiscal year which have been obligated for the  
 525 payment of outstanding commitments not yet completed.

526 2. The estimated amount of unobligated funds or net cash  
 527 balance on hand at the beginning of the fiscal year, and the  
 528 estimated amount of funds to be raised by district taxes or

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529 received from other sources to meet the requirements of the  
 530 district.

531 3. The millage rates and the percentage increase above the  
 532 rolled-back rate, together with a summary of the reasons the  
 533 increase is required, and the percentage increase in taxable  
 534 value resulting from new construction within the district.

535 4. The salaries and benefits, expenses, operating capital  
 536 outlay, number of authorized positions, and other personal  
 537 services for the following program areas of the district:

- 538 a. Water resource planning and monitoring;
- 539 b. Land acquisition, restoration, and public works;
- 540 c. Operation and maintenance of works and lands;
- 541 d. Regulation;
- 542 e. Outreach for which the information provided must  
 543 contain a full description and accounting of expenditures for  
 544 water resources education; public information and public  
 545 relations, including public service announcements and  
 546 advertising in any media; and lobbying activities related to  
 547 local, regional, state and federal governmental affairs, whether  
 548 incurred by district staff or through contractual services; and  
 549 f. Management and administration.

550  
 551 In addition to the program areas reported by all water  
 552 management districts, the South Florida Water Management  
 553 District shall include in its budget document separate sections  
 554 on all costs associated with the Everglades Construction  
 555 Project, ~~and~~ the Comprehensive Everglades Restoration Plan and  
 556 the Northern Everglades and Estuaries Protection Program.

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557           5. The total estimated amount in the district budget for  
 558 each area of responsibility listed in subparagraph 4. and for  
 559 water resource development projects identified in the district's  
 560 regional water supply plans.

561           6. A description of each new, expanded, reduced, or  
 562 eliminated program.

563           7. The funding sources, including, but not limited to, ad  
 564 valorem taxes, Surface Water Improvement and Management Program  
 565 funds, other state funds, federal funds, and user fees and  
 566 permit fees for each program area.

567           (e) By May ~~September~~ 5 of the year in which the budget is  
 568 submitted, the House and Senate appropriations chairs may  
 569 transmit to each district comments and objections to the  
 570 proposed budgets. Each district governing board shall include a  
 571 response to such comments and objections in the record of the  
 572 governing board meeting where final adoption of the budget takes  
 573 place, and the record of this meeting shall be transmitted to  
 574 the Executive Office of the Governor, the department, and the  
 575 chairs of the House and Senate appropriations committees.

576           (f) The Executive Office of the Governor shall annually,  
 577 on or before September ~~December~~ 15, file with the Legislature a  
 578 report that summarizes its review of the water management  
 579 districts' tentative budgets and displays the adopted budget  
 580 allocations by program area. The report must identify the  
 581 districts that are not in compliance with the reporting  
 582 requirements of this section. State funds shall be withheld from  
 583 a water management district that fails to comply with these  
 584 reporting requirements.

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585 Section 9. Subsection (4) of section 373.584, Florida  
 586 Statutes, is amended to read.

587 373.584 Revenue bonds.--

588 (4) As used in this section:

589 (a) "Bonds" means bonds, debentures, notes, certificates  
 590 of indebtedness, ~~certificates of participation,~~ mortgage  
 591 certificates, or other obligations or evidences of indebtedness  
 592 of any type or character. Certificates of participation are not  
 593 an authorized financing instrument under this section.

594 (b) "Project" means a governmental undertaking approved by  
 595 the governing body of a water management district and includes  
 596 all property rights, easements, and franchises relating thereto  
 597 and deemed necessary or convenient for the construction,  
 598 acquisition, or operation thereof, and embraces any capital  
 599 expenditure which the governing body of a water management  
 600 district shall deem to be made for a public purpose, including  
 601 the refunding of any bonded indebtedness which may be  
 602 outstanding on any existing project.

603 (c) "Revenue bonds" means bonds of a water management  
 604 district to the payment of which the full faith and credit and  
 605 power to levy ad valorem taxes are not pledged.

606 Section 10. Subsection (1) and paragraph (b) of subsection  
 607 (10) of section 373.59, Florida Statutes, are amended to read:

608 373.59 Water Management Lands Trust Fund.--

609 (1) There is established within the Department of  
 610 Environmental Protection the Water Management Lands Trust Fund  
 611 to be used as a nonlapsing fund for the purposes of this  
 612 section. The moneys in this fund are hereby continually

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613 | appropriated for the purposes of land acquisition, management,  
 614 | maintenance, capital improvements of land titled to the  
 615 | districts, payments in lieu of taxes, debt service on bonds  
 616 | issued prior to July 1, 1999, debt service on bonds issued on or  
 617 | after July 1, 1999, which are issued to refund bonds issued  
 618 | before July 1, 1999, preacquisition costs associated with land  
 619 | purchases, ~~and~~ the department's costs of administration of the  
 620 | fund, and the direct expenses of the Florida Water Management  
 621 | District Governing Board Nominating Council. No refunding bonds  
 622 | may be issued which mature after the final maturity date of the  
 623 | bonds being refunded or which provide for higher debt service in  
 624 | any year than is payable on such bonds as of February 1, 2009.  
 625 | The department's costs of administration shall be charged  
 626 | proportionally against each district's allocation using the  
 627 | formula provided in subsection (8). Capital improvements shall  
 628 | include, but need not be limited to, perimeter fencing, signs,  
 629 | firelanes, control of invasive exotic species, controlled  
 630 | burning, habitat inventory and restoration, law enforcement,  
 631 | access roads and trails, and minimal public accommodations, such  
 632 | as primitive campsites, garbage receptacles, and toilets. The  
 633 | moneys in the fund may also be appropriated to supplement  
 634 | operational expenditures at the Northwest Florida Water  
 635 | Management District and the Suwannee River Water Management  
 636 | District, with such appropriations allocated prior to the  
 637 | allocations set out in subsection (8) to the five water  
 638 | management districts.

639 | (10) (b) Payment in lieu of taxes shall be available:

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640 1. To all counties that have a population of 150,000 or  
 641 fewer. Population levels shall be determined pursuant to s.  
 642 11.031.

643 2. To all local governments located in eligible counties  
 644 and whose lands are bought and taken off the tax rolls.

645  
 646 For properties acquired after January 1, 2000, in the event that  
 647 such properties otherwise eligible for payment in lieu of taxes  
 648 under this subsection are leased or reserved and remain subject  
 649 to ad valorem taxes, payments in lieu of taxes shall commence or  
 650 recommence upon the expiration or termination of the lease or  
 651 reservation, ~~but in no event shall there be more than a total of~~  
 652 ~~10 annual payments in lieu of taxes for each tax loss.~~ If the  
 653 lease is terminated for only a portion of the lands at any time,  
 654 the ~~10~~ annual payments shall be made for that portion only  
 655 commencing the year after such termination, without limiting the  
 656 requirement that ~~10~~ annual payments shall be made on the  
 657 remaining portion or portions of the land as the lease on each  
 658 expires. For the purposes of this subsection, "local government"  
 659 includes municipalities, the county school board, mosquito  
 660 control districts, and any other local government entity which  
 661 levies ad valorem taxes.

662 Section 11. Except as otherwise expressly provided in this  
 663 act, this act shall take effect July 1, 2009.