

Legislative Update

2009 Regular Session Extended Until Friday, May 8, 2009

The House and Senate have adopted concurrent resolution H 8005 (Extension/2009 Regular Session of the Legislature), which extends the 2009 Regular Session until Friday, May 8, 2009. After midnight May 1, the legislature is limited to discussing the state budget and only bills that implement the budget.

Appropriations

- \$50 Million for Everglades
 - \$47 Million for SFWMD (CERP and Northern Everglades Projects and Lands)
 - \$3 Million for Department of Agriculture and Consumer Services (Northern Everglades BMPs)
- \$2 Million from Alligator Alley Tolls for Everglades and Florida Bay
- \$7 Million from Water Management Lands Trust Fund to pay existing debt service

Major Bills that Passed

SB 1078 - Water Management District Liability

This bill provides that the limitation of liability of a WMD applies regardless of whether the person accessing the park area, district or other lands, or water areas is an invitee, licensee, or trespasser, and regardless of whether the person was engaged in a recreational activity at the time of an accident.

SB 2080 - Water Management Districts Sunset Bill

The House "Sunset Bill" for the Water Management Districts was amended on Friday to SB 2080 (West Central Florida Water Restoration Action Plan) along with provisions for the Florida Friendly Landscaping. The bill:

- Reenacts the Water Management Districts.
- Allows WMD governing boards to conduct meetings via teleconferencing or other communication media technology.
- Requires WMD boards to delegate authority to approve consumptive use and environmental resource permits (ERP) to the executive directors.
- Establishes the conditions necessary to receive a 50-year consumptive use permit for certain alternative water supply development projects.
- Provides the appropriate legislative substantive committee chair authority to comment and object to WMD tentative budgets.
- Establishes a 20 percent debt to ad valorem limitation on the amount of bonds a WMD may have outstanding and requires the approval of the Joint Legislative Budget Commission (LBC) to exceed the bond limitation.

- Revises certain payment in lieu of taxes provisions by expanding eligible lands, annually reviewing population eligibility requirements, narrowing eligible local governments, and removing the application process and deadline.
- Authorizes the reinstatement of payment of lieu taxes for counties that remain below the specified population threshold.

SB 360 - Growth Management

This bill creates the Community Renewal Act. The bill makes a number of revisions to the Growth Management Act and the Environmental Land and Water Management Act, including changes to the comprehensive plan amendment process, allowing additional growth in densely populated areas, and revising the consequences arising when local governments have not met certain reporting requirements.

SB 494 - Water Conservation

This bill amends s. 373.62, F.S., revising the requirements for automatic landscape irrigation systems to include technology that will interrupt or inhibit the system during periods of sufficient moisture. It requires that licensed contractors inspect these systems to ensure that they are in compliance before completing additional work on the systems. Additionally, the bill expands the requirements of this section to apply to any person who operates an automatic landscape irrigation system. The bill was amended to include district recommended changes including the requirement to have a licensed engineer inspect and certify the system annually.

HB 73 Expedited Permitting

This bill requires the Department of Environmental Protection (DEP) and the water management districts to adopt programs that create a 45-day expedited permitting process for businesses identified by a municipality or county as a target industry business. Projects requiring approval by the Board of Trustees of the Internal Improvement Trust Fund are exempt. The programs are limited to wetland resource and environmental resource permits.

Ernie Barnett
Director of Legislative Affairs
South Florida Water Management District
(561) 951-2840