

PCS for HB 1379

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to water and wastewater utilities;
 3 creating the Study Committee on Investor-Owned Water
 4 and Wastewater Utility Systems; providing for
 5 membership and terms of service; prohibiting
 6 compensation of the members; providing for
 7 reimbursement of the members for certain expenses;
 8 providing for removal or suspension of members by the
 9 appointing authority; requiring the Public Service
 10 Commission to provide staff, information, assistance,
 11 and facilities that are deemed necessary for the
 12 committee to perform its duties; providing for funding
 13 from the Florida Public Service Regulatory Trust Fund;
 14 providing duties for the committee; providing for
 15 public meetings; requiring the committee to report to
 16 the Governor and Legislature its findings and make
 17 recommendation for legislative changes; requiring the
 18 committee to submit its report and recommendations to
 19 appropriate agencies; providing for future termination
 20 of the committee; providing an effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Study Committee on Investor-Owned Water and
 25 Wastewater Utility Systems.—

26 (1) There is created a Study Committee on Investor-Owned
 27 Water and Wastewater Utility Systems, which shall be composed of
 28 17 members designated and appointed as follows:

29 (a) Two Senators appointed by the President of the Senate,
 30 one of whom shall be appointed as chair by the President of the
 31 Senate.

32 (b) Two Representatives appointed by the Speaker of the
 33 House of Representatives.

34 (c) The Secretary of the Department of Environmental
 35 Protection or his or her designee, who shall be a nonvoting
 36 member of the committee.

37 (d) The chair of the Public Service Commission or his or
 38 her designee, who shall be a nonvoting member of the committee.

39 (e) A representative of a water management district
 40 appointed by the Governor.

41 (f) A representative of a water or wastewater system owned
 42 or operated by a municipal government appointed by the Governor.

43 (g) A representative of a water or wastewater system owned
 44 or operated by a county government appointed by the Governor.

45 (h) The chair of a county commission that regulates
 46 investor-owned water or wastewater utility systems, who shall be
 47 a nonvoting member of the committee.

48 (i) A representative of a county health department
 49 appointed by the Governor, who shall be a nonvoting member of
 50 the committee.

51 (j) A representative of the Florida Rural Water
 52 Association appointed by the Governor.

53 (k) A representative of a small investor-owned water or
 54 wastewater utility appointed by the Governor.

55 (l) A representative of a large investor-owned water or
 56 wastewater utility appointed by the Governor.

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57 (m) The Public Counsel or his or her designee.
 58 (n) A customer of a Class C water or wastewater utility
 59 appointed by the Governor.
 60 (o) A representative of a government authority that was
 61 created pursuant to chapter 163, Florida Statutes, appointed by
 62 the Governor.
 63 (2) The members shall serve until the work of the
 64 committee is complete and the committee is terminated, except
 65 that if a member no longer serves in the position required for
 66 appointment, the member shall be replaced by the individual who
 67 serves in such position.
 68 (3) Members of the committee shall serve without
 69 compensation, but are entitled to reimbursement for all
 70 reasonable and necessary expenses, including travel expenses, in
 71 the performance of their duties as provided in s. 112.061,
 72 Florida Statutes.
 73 (4) The appointing authority may remove or suspend a
 74 member appointed by it for cause, including, but not limited to,
 75 failure to attend two or more meetings of the committee.
 76 (5) The Public Service Commission shall provide the staff,
 77 information, assistance, and facilities as are deemed necessary
 78 for the committee to carry out its duties under this section.
 79 Funding for the committee shall be paid from the Florida Public
 80 Service Regulatory Trust Fund.
 81 (6) The committee shall identify issues of concern of
 82 investor-owned water and wastewater utility systems,
 83 particularly small systems, and their customers and research
 84 possible solutions. In addition, the committee shall consider:

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85 (a) The ability of a small investor-owned water and
 86 wastewater utility to achieve economies of scale when purchasing
 87 equipment, commodities, or services.

88 (b) The availability of low interest loans to a small,
 89 privately owned water or wastewater utility.

90 (c) Any tax incentives or exemptions, temporary or
 91 permanent, which are available to a small water or wastewater
 92 utility.

93 (d) The impact on customer rates if a utility purchases an
 94 existing water or wastewater utility system.

95 (e) The impact on customer rates of a utility providing
 96 service through the use of a reseller.

97 (f) Other issues that the committee identifies during its
 98 investigation.

99 (7) The committee shall meet at the time and location as
 100 the chair determines, except that the committee shall meet a
 101 minimum of four times. At least two meetings must be held in an
 102 area that is centrally located to utility customers who have
 103 recently been affected by a significant increase in water or
 104 wastewater utility rates. The public shall be given the
 105 opportunity to speak at the meeting.

106 (8) By February 15, 2012, the committee shall prepare and
 107 submit to the Governor, the President of the Senate, and the
 108 Speaker of the House of Representatives a report detailing its
 109 findings pursuant to subsection (6) and making specific
 110 legislative recommendations, including proposed legislation
 111 intended to implement its recommendations. If the committee, in
 112 its report, finds that an issue may effectively be addressed

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113 | through agency rulemaking, the committee shall submit to the
114 | appropriate agencies its report and recommendations, including
115 | proposed rules.

116 | (9) This section expires and the committee terminates June
117 | 30, 2013.

118 | Section 2. This act shall take effect upon becoming law.