Florida House of Representatives - 1998

By the Committee on Utilities & Communications and Representative Arnall

1 A bill to be entitled An act relating to the Florida Public Service 2 Commission; amending s. 350.01, F.S.; deleting 3 4 obsolete provisions; amending s. 350.011, F.S.; clarifying the jurisdiction, powers, and duties 5 6 of the commission; providing an effective date. 7 8 Be It Enacted by the Legislature of the State of Florida: 9 10 Section 1. Subsection (2) of section 350.01, Florida Statutes, is amended to read: 11 350.01 Florida Public Service Commission; terms of 12 13 commissioners; vacancies; election and duties of chair; quorum; proceedings. --14 15 (2)(a) Each commissioner serving on July 1, 1978, shall be permitted to remain in office until the completion of 16 17 his or her current term. Upon the expiration of the term, a 18 successor shall be appointed in the manner prescribed by s. 350.031(3) and (4) for a 4-year term, except that the terms of 19 20 the initial members appointed under this act shall be as 21 follows: 1. The vacancy created by the present term ending in 22 23 January, 1981, shall be filled by appointment for a 4-year 24 term and for 4-year terms thereafter; and 25 2. The vacancies created by the two present terms 26 ending in January, 1979, shall be filled by appointment for a 27 3-year term and for 4-year terms thereafter. 2.8 (b) Two additional commissioners shall be appointed in the manner prescribed by s. 350.031(3) and (4) for 4-year 29 30 terms beginning the first Tuesday after the first Monday in 31

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January, 1979, and successors shall be appointed for a 4-year 1 term terms thereafter. 2 (c) Vacancies on the commission shall be filled as 3 provided in s. 350.031 for the unexpired portion of the term 4 in the same manner as original appointments to the commission. 5 Section 2. Section 350.011, Florida Statutes, is 6 7 amended to read: 350.011 Florida Public Service Commission; 8 9 jurisdiction; powers and duties. -- The jurisdiction, powers, and duties of the Florida Public Service Commission, formerly 10 known as the Florida Railroad and Public Utilities Commission 11 or the Florida Public Utilities Commission, are as provided, 12 13 but not limited to, those enumerated in this chapter and in chapters 364, 366, 367, and 368. The status of any action 14 15 taken by, or in relation to, such former commissions continues in full force and effect. The state regulatory agency 16 heretofore known as the Florida Railroad and Public Utilities 17 18 Commission or Florida Public Utilities Commission shall be known and hereafter called Florida Public Service Commission, 19 and all rights, powers, duties, responsibilities, 20 21 jurisdiction, and judicial powers now vested in said Railroad 22 and Public Utilities Commission or said Florida Public 23 Utilities Commission and the commissioners thereof are vested in the Florida Public Service Commission and the commissioners 24 thereof. Whenever reference is made to the Florida Railroad 25 and Public Utilities Commission or Florida Public Utilities 26 27 Commission and the commissioners thereof in the laws of the 28 state previously enacted or enacted at this session of the Legislature, such reference shall be construed to mean the 29 Florida Public Service Commission and the commissioners 30 31 thereof and all appropriations for the use of said Railroad

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and Public Utilities Commission or Florida Public Utilities 1 Commission and the members thereof for the biennium or 2 3 continuing in nature previously made or made at this session 4 of the Legislature, shall be construed to be for the use of said Florida Public Service Commission and the commissioners 5 6 thereof, to be used for the purposes set out in the laws 7 making said appropriations; provided, however, the change in 8 name of said regulatory agency shall in nowise affect any 9 pending causes and proceedings, existing notices, orders, 10 certificates, permits, licenses, or authorities previously 11 granted or any action previously taken by the Florida Railroad 12 and Public Utilities Commission or Florida Public Utilities 13 Commission. Section 3. This act shall take effect upon becoming a 14 15 law. 16 17 18 HOUSE SUMMARY 19 Deletes obsolete provisions relating to the Florida Public Service Commission and clarifies provisions relating to the jurisdiction, powers, and duties of the 20 21 commission. 22 23 24 25 2.6 27 28 29 30 31

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