

Bill No. SB 344

Amendment No. ____ Barcode 422502

1 Section 2. Section 350.0611, Florida Statutes, is
2 amended to read:

3 350.0611 Public Counsel; duties and powers.--It shall
4 be the duty of the Public Counsel to provide legal
5 representation for the people of the state in proceedings
6 before the commission and in proceedings before counties
7 pursuant to s. 367.171(8). The Public Counsel shall have such
8 powers as are necessary to carry out the duties of his or her
9 office, including, but not limited to, the following specific
10 powers:

11 (1) To recommend to the commission or the counties, by
12 petition, the commencement of any proceeding or action or to
13 appear, in the name of the state or its citizens, in any
14 proceeding or action before the commission or the counties and
15 urge therein any position which he or she deems to be in the
16 public interest, whether consistent or inconsistent with
17 positions previously adopted by the commission or the
18 counties, and utilize therein all forms of discovery available
19 to attorneys in civil actions generally, subject to protective
20 orders of the commission or the counties which shall be
21 reviewable by summary procedure in the circuit courts of this
22 state;

23 (2) To have access to and use of all files, records,
24 and data of the commission or the counties available to any
25 other attorney representing parties in a proceeding before the
26 commission or the counties;

27 (3) In any proceeding in which he or she has
28 participated as a party, to seek review of any determination,
29 finding, or order of the commission or the counties, or of any
30 hearing examiner designated by the commission or the counties,
31 in the name of the state or its citizens;

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1 (4) To prepare and issue reports, recommendations, and
 2 proposed orders to the commission, the Governor, and the
 3 Legislature on any matter or subject within the jurisdiction
 4 of the commission, and to make such recommendations as he or
 5 she deems appropriate for legislation relative to commission
 6 procedures, rules, jurisdiction, personnel, and functions; and

7 (5) To appear before other state agencies, federal
 8 agencies, and state and federal courts in connection with
 9 matters under the jurisdiction of the commission, in the name
 10 of the state or its citizens.

11 Section 3. This act shall take effect upon becoming a
 12 law.

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 14

15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 Delete everything before the enacting clause

18
 19 and insert:

20 A bill to be entitled
 21 An act relating to water and wastewater
 22 systems; amending s. 367.171, F.S.; deleting
 23 the requirement that county rate proceedings
 24 follow certain provisions of the Administrative
 25 Procedure Act; amending s. 350.0611, F.S.;
 26 requiring the Public Counsel to provide legal
 27 representation in proceedings before counties
 28 under certain circumstances; providing an
 29 effective date.

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