

By Representative Argenziano

1 A bill to be entitled
2 An act relating to water and wastewater
3 systems; reenacting s. 350.0611, F.S., relating
4 to duties and powers of the Public Counsel;
5 providing an effective date.
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7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Section 350.0611, Florida Statutes, as
10 amended by section 12 of chapter 2000-350, Laws of Florida, is
11 reenacted to read:

12 350.0611 Public Counsel; duties and powers.--It shall
13 be the duty of the Public Counsel to provide legal
14 representation for the people of the state in proceedings
15 before the commission and in proceedings before counties
16 pursuant to s. 367.171(8). The Public Counsel shall have such
17 powers as are necessary to carry out the duties of his or her
18 office, including, but not limited to, the following specific
19 powers:

20 (1) To recommend to the commission, by petition, the
21 commencement of any proceeding or action or to appear, in the
22 name of the state or its citizens, in any proceeding or action
23 before the commission and urge therein any position which he
24 or she deems to be in the public interest, whether consistent
25 or inconsistent with positions previously adopted by the
26 commission, and utilize therein all forms of discovery
27 available to attorneys in civil actions generally, subject to
28 protective orders of the commission which shall be reviewable
29 by summary procedure in the circuit courts of this state;

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- 1 (2) To have access to and use of all files, records,
2 and data of the commission available to any other attorney
3 representing parties in a proceeding before the commission;
4 (3) In any proceeding in which he or she has
5 participated as a party, to seek review of any determination,
6 finding, or order of the commission, or of any hearing
7 examiner designated by the commission, in the name of the
8 state or its citizens;
9 (4) To prepare and issue reports, recommendations, and
10 proposed orders to the commission, the Governor, and the
11 Legislature on any matter or subject within the jurisdiction
12 of the commission, and to make such recommendations as he or
13 she deems appropriate for legislation relative to commission
14 procedures, rules, jurisdiction, personnel, and functions;
15 (5) To appear before other state agencies, federal
16 agencies, and state and federal courts in connection with
17 matters under the jurisdiction of the commission, in the name
18 of the state or its citizens.

19 Section 2. This act shall take effect upon becoming a
20 law.

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23 HOUSE SUMMARY

24 Reenacts s. 350.0611, F.S., which requires the Public
25 Counsel to provide legal representation in proceedings
26 before counties pursuant to s. 367.171(8), F.S., relating
to county regulation of utility rates.

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