

Bill No. CS for SB 2316

Amendment No. \_\_\_\_ Barcode 515866

CHAMBER ACTION

Senate

House

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Senator Argenziano moved the following amendment:

**Senate Amendment (with title amendment)**

On page 21, lines 19 and 20, delete those lines

and insert:

Section 13. Paragraph (g) of subsection (7) of section 163.01, Florida Statutes, is amended to read:

163.01 Florida Interlocal Cooperation Act of 1969.--  
(7)

(g)1. Notwithstanding any other provisions of this section, any separate legal entity created under this section, the membership of which is limited to municipalities and counties of the state, may acquire, own, construct, improve, operate, and manage public facilities, or finance facilities on behalf of any person, relating to a governmental function or purpose, including, but not limited to, wastewater facilities, water or alternative water supply facilities, and water reuse facilities, which may serve populations within or outside of the members of the entity. Notwithstanding s. 367.171(7), any separate legal entity created under this

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1 paragraph is not subject to Public Service Commission  
2 jurisdiction, except when a host government specifically  
3 requests binding arbitration services through the commission  
4 under subparagraphs 4. and 5. and as is otherwise provided for  
5 in general law. The separate legal entity and may not provide  
6 utility services within the service area of an existing  
7 utility system unless it has received the consent of the  
8 utility.

9       2. For purposes of this paragraph, the term "utility"  
10 means a water or wastewater utility and includes every person,  
11 separate legal entity, lessee, trustee, or receiver owning,  
12 operating, managing, or controlling a system, or proposing  
13 construction of a system, who is providing, or proposes to  
14 provide, water or wastewater service to the public for  
15 compensation. For purposes of this paragraph, the term  
16 "system" means each separate water or wastewater facility  
17 providing service. For purposes of this paragraph, the term  
18 "host government" means either the governing body of the  
19 county, if the largest number of equivalent residential  
20 connections currently served by a system of the utility is  
21 located in the unincorporated area, or the governing body of a  
22 municipality, if the largest number of equivalent residential  
23 connections currently served by a system of the utility is  
24 located within that municipality's boundaries. For purposes of  
25 this paragraph, the term "separate legal entity" may mean any  
26 entity created by interlocal agreement the membership of which  
27 is limited to two or more municipalities or counties of the  
28 state, but which entity is legally separate and apart from any  
29 of its member governments. A separate legal entity that seeks  
30 to acquire any utility must notify the host government in  
31 writing by certified mail about the contemplated acquisition

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1 not less than 90 days before any proposed transfer of  
2 ownership, use, or possession of any utility assets by such  
3 separate legal entity. The potential acquisition notice must  
4 be provided to the legislative head of the governing body of  
5 the host government and to its chief administrative officer  
6 and must provide the name and address of a contact person for  
7 the separate legal entity and information identified in s.  
8 367.071(4)(a) concerning the contemplated acquisition.

9       3. Within 90 days following receipt of the notice, the  
10 host government may adopt a resolution to become a member of  
11 the separate legal entity; adopt a resolution to approve the  
12 utility acquisition; adopt a resolution to prohibit the  
13 utility acquisition by the separate legal entity if the host  
14 government determines that the proposed acquisition is not in  
15 the public interest; request in writing an automatic 45-day  
16 extension of the 90-day period in order to allow sufficient  
17 time for the host government to evaluate the proposed  
18 acquisition; or take no action to agenda the proposed  
19 acquisition for discussion at a public meeting, which shall be  
20 construed as denial of the proposed acquisition. If a host  
21 government adopts a prohibition resolution, the separate legal  
22 entity may not acquire the utility within that host  
23 government's territory without specific consent of the host  
24 government by future resolution. If a host government adopts a  
25 membership resolution, the separate legal entity must accept  
26 the host government as a member before any transfer of  
27 ownership, use, or possession of the utility or the utility  
28 facilities on the same basis as its existing members. If a  
29 host government does not adopt a prohibition resolution or an  
30 approval resolution, does not provide a written request for an  
31 extension of the 90-day notice period, and takes no action to

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1 initiate judicial proceedings regarding the proposed  
2 acquisition, the separate legal entity may proceed to acquire  
3 the utility after the 90-day notice period without further  
4 notice, except as otherwise agreed upon by the separate legal  
5 entity and the host government. In utility acquisitions  
6 involving two or more host governments, the Public Service  
7 Commission shall consider whether the sale, assignment, or  
8 transfer of the utility is in the public interest pursuant to  
9 the provisions of s. 367.071(1).

10 4. In addition to the host government's right to  
11 review as fair and reasonable the rates, charges, customer  
12 classifications, and terms of service that will be in place at  
13 the time of acquisition, the host government has the right to  
14 review and approve as fair and reasonable any later changes  
15 proposed by the separate legal entity to the rates, charges,  
16 customer classifications, and terms of service, before  
17 adoption by the separate legal entity. In addition, the host  
18 government has the right to review and approve any changes to  
19 the financing of such facilities which may result in increased  
20 costs to customers. Such right of review and approval by the  
21 host government is subject to the obligation of the separate  
22 legal entity to establish rates and charges that comply with  
23 the requirements contained in any resolution or trust  
24 agreement relating to the issuance of bonds to acquire and  
25 improve the affected utility, and such right does not affect  
26 the obligation of the separate legal entity to set rates at a  
27 level sufficient to pay debt service on its obligations issued  
28 in relation to the host government utility. In order to  
29 facilitate review of proposed changes by such host government,  
30 the separate legal entity must notify the host government in  
31 writing by certified mail about the proposed changes not less

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1 than 90 days before it implements any changes. The notice of  
2 proposed changes must be provided to the legislative head of  
3 the governing body of each host government and to its chief  
4 administrative officer and must provide the name and address  
5 of a contact person for the separate legal entity and  
6 information identified in s. 367.081(2)(a)1. as it applies to  
7 publicly owned utilities about the proposed changes. If after  
8 review the host government believes that the proposed changes  
9 are in the public interest, the host government may pass a  
10 resolution approving the proposed changes. If, after review,  
11 the host government believes that the proposed changes are not  
12 in the public interest, the host government may enter into  
13 negotiation with the separate legal entity to resolve those  
14 concerns. If no agreement is reached within 30 days after the  
15 host government's determination that the proposed changes are  
16 not in the public interest, the host government may request  
17 and, if requested, shall receive binding arbitration services  
18 through the Public Service Commission to resolve the dispute  
19 with the separate legal entity. The commission shall develop  
20 and adopt administrative rules governing the arbitration  
21 process and establishing fees for this dispute-resolution  
22 service.

23 5. After the acquisition or construction of any  
24 utility systems by a separate legal entity created under this  
25 subsection, revenues or any other income may not be  
26 transferred or paid to a member of a separate legal entity, or  
27 to any other county or municipality, from user fees or other  
28 charges or revenues generated from customers that are not  
29 physically located within the jurisdictional or service  
30 delivery boundaries of the member, county, or municipality  
31 receiving the transfer or payment. Any transfer or payment to

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1 a member or other local government must be solely from user  
2 fees or other charges or revenues generated from customers  
3 that are physically located within the jurisdictional or  
4 service delivery boundaries of the member or local government  
5 receiving the transfer or payment.

6       6. The host government is guaranteed the right to  
7 acquire any utility or utility system that it hosts owned by  
8 the separate legal entity. In those instances when the  
9 separate legal entity and the host government cannot agree on  
10 the terms and conditions of the acquisition, the host  
11 government may request and, if requested, shall receive  
12 binding arbitration services through the Public Service  
13 Commission to resolve the disputed acquisition terms. The  
14 commission shall develop and adopt administrative rules  
15 governing the arbitration process and establishing the fees  
16 for these services. In developing and adopting its rules  
17 governing the acquisition price for a given host government to  
18 acquire the utility or utility system located within its  
19 jurisdiction, the Public Service Commission shall, to the  
20 greatest extent possible, base the acquisition price on the  
21 same percentage to the total bonded indebtedness of the  
22 separate legal entity upon acquiring the utility as the  
23 acquired system's rate base was to the utility's total rate  
24 base at the time transferred from a regulated utility to the  
25 separate legal entity. This paragraph is an alternative  
26 provision otherwise provided by law as authorized in s. 4,  
27 Art. VIII of the State Constitution for any transfer of power  
28 as a result of an acquisition of a utility by a separate legal  
29 entity from a municipality, county, or special district.

30       7. The entity may finance or refinance the  
31 acquisition, construction, expansion, and improvement of such

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1 facilities relating to a governmental function or purpose  
2 through the issuance of its bonds, notes, or other obligations  
3 under this section or as otherwise authorized by law. Except  
4 as limited by the terms and conditions of the utility  
5 acquisition agreement, as approved by the applicable host  
6 government, the entity has all the powers provided by the  
7 interlocal agreement under which it is created or which are  
8 necessary to finance, own, operate, or manage the public  
9 facility, including, without limitation, the power to  
10 establish rates, charges, and fees for products or services  
11 provided by it, the power to levy special assessments, the  
12 power to sell or finance all or a portion of such facility,  
13 and the power to contract with a public or private entity to  
14 manage and operate such facilities or to provide or receive  
15 facilities, services, or products. Except as may be limited by  
16 the interlocal agreement under which the entity is created,  
17 all of the privileges, benefits, powers, and terms of s.  
18 125.01, relating to counties, and s. 166.021, relating to  
19 municipalities, are fully applicable to the entity. However,  
20 neither the entity nor any of its members on behalf of the  
21 entity may exercise the power of eminent domain over the  
22 facilities or property of any existing water or wastewater  
23 plant utility system, nor may the entity acquire title to any  
24 water or wastewater plant utility facilities, other  
25 facilities, or property which was acquired by the use of  
26 eminent domain after the effective date of this act. Bonds,  
27 notes, and other obligations issued by the entity are issued  
28 on behalf of the public agencies that are members of the  
29 entity.

30 ~~8.2.~~ Except as limited by the terms and conditions of  
31 the utility acquisition agreement, as approved by the

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1 applicable host government, any entity created under this  
2 section may also issue bond anticipation notes in connection  
3 with the authorization, issuance, and sale of bonds. The bonds  
4 may be issued as serial bonds or as term bonds or both. Any  
5 entity may issue capital appreciation bonds or variable rate  
6 bonds. Any bonds, notes, or other obligations must be  
7 authorized by resolution of the governing body of the entity  
8 and bear the date or dates; mature at the time or times, not  
9 exceeding 40 years from their respective dates; bear interest  
10 at the rate or rates; be payable at the time or times; be in  
11 the denomination; be in the form; carry the registration  
12 privileges; be executed in the manner; be payable from the  
13 sources and in the medium or payment and at the place; and be  
14 subject to the terms of redemption, including redemption prior  
15 to maturity, as the resolution may provide. If any officer  
16 whose signature, or a facsimile of whose signature, appears on  
17 any bonds, notes, or other obligations ceases to be an officer  
18 before the delivery of the bonds, notes, or other obligations,  
19 the signature or facsimile is valid and sufficient for all  
20 purposes as if he or she had remained in office until the  
21 delivery. The bonds, notes, or other obligations may be sold  
22 at public or private sale for such price as the governing body  
23 of the entity shall determine. Pending preparation of the  
24 definitive bonds, the entity may issue interim certificates,  
25 which shall be exchanged for the definitive bonds. The bonds  
26 may be secured by a form of credit enhancement, if any, as the  
27 entity deems appropriate. The bonds may be secured by an  
28 indenture of trust or trust agreement. In addition, the  
29 governing body of the legal entity may delegate, to an  
30 officer, official, or agent of the legal entity as the  
31 governing body of the legal entity may select, the power to



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1 determine the time; manner of sale, public or private;  
2 maturities; rate of interest, which may be fixed or may vary  
3 at the time and in accordance with a specified formula or  
4 method of determination; and other terms and conditions as may  
5 be deemed appropriate by the officer, official, or agent so  
6 designated by the governing body of the legal entity. However,  
7 the amount and maturity of the bonds, notes, or other  
8 obligations and the interest rate of the bonds, notes, or  
9 other obligations must be within the limits prescribed by the  
10 governing body of the legal entity and its resolution  
11 delegating to an officer, official, or agent the power to  
12 authorize the issuance and sale of the bonds, notes, or other  
13 obligations.

14 ~~9.3.~~ Bonds, notes, or other obligations issued under  
15 ~~this paragraph subparagraph 1.~~ may be validated as provided in  
16 chapter 75. The complaint in any action to validate the bonds,  
17 notes, or other obligations must be filed only in the Circuit  
18 Court for Leon County. The notice required to be published by  
19 s. 75.06 must be published in Leon County and in each county  
20 that is a member of the entity issuing the bonds, notes, or  
21 other obligations, or in which a member of the entity is  
22 located, and the complaint and order of the circuit court must  
23 be served only on the State Attorney of the Second Judicial  
24 Circuit and on the state attorney of each circuit in each  
25 county that is a member of the entity issuing the bonds,  
26 notes, or other obligations or in which a member of the entity  
27 is located. Section 75.04(2) does not apply to a complaint for  
28 validation brought by the legal entity.

29 ~~10.4.~~ The accomplishment of the authorized purposes of  
30 a legal entity created under this paragraph is in all respects  
31 for the benefit of the people of the state, for the increase

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1 of their commerce and prosperity, and for the improvement of  
 2 their health and living conditions. Since the legal entity  
 3 will perform essential governmental functions in accomplishing  
 4 its purposes, the legal entity is not required to pay any  
 5 taxes or assessments of any kind whatsoever upon any property  
 6 acquired or used by it for such purposes or upon any revenues  
 7 at any time received by it. The bonds, notes, and other  
 8 obligations of an entity, their transfer and the income  
 9 therefrom, including any profits made on the sale thereof, are  
 10 at all times free from taxation of any kind by the state or by  
 11 any political subdivision or other agency or instrumentality  
 12 thereof. The exemption granted in this subparagraph is not  
 13 applicable to any tax imposed by chapter 220 on interest,  
 14 income, or profits on debt obligations owned by corporations.

15 Section 14. Subsection (1) of section 120.52, Florida  
 16 Statutes, is amended to read:

17 120.52 Definitions.--As used in this act:

18 (1) "Agency" means:

19 (a) The Governor in the exercise of all executive  
 20 powers other than those derived from the constitution.

21 (b) Each:

22 1. State officer and state department, and each  
 23 departmental unit described in s. 20.04.

24 2. Authority, including a regional water supply  
 25 authority.

26 3. Board.

27 4. Commission, including the Commission on Ethics and  
 28 the Fish and Wildlife Conservation Commission when acting  
 29 pursuant to statutory authority derived from the Legislature.

30 5. Regional planning agency.

31 6. Multicounty special district with a majority of its

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1 governing board comprised of nonelected persons.

2 7. Educational units.

3 8. Entity described in chapters 163, 373, 380, and 582  
4 and s. 186.504.

5 (c) Each other unit of government in the state,  
6 including counties and municipalities, to the extent they are  
7 expressly made subject to this act by general or special law  
8 or existing judicial decisions.

9  
10 This definition does not include any legal entity or agency  
11 created in whole or in part pursuant to chapter 361, part II,  
12 an expressway authority pursuant to chapter 348, any legal or  
13 administrative entity created by an interlocal agreement  
14 pursuant to s. 163.01(7), except those created pursuant to s.  
15 163.01(7)(q)1., unless any party to such agreement is  
16 otherwise an agency as defined in this subsection, or any  
17 multicounty special district with a majority of its governing  
18 board comprised of elected persons; however, this definition  
19 shall include a regional water supply authority.

20 Section 15. Subsection (7) of section 367.021, Florida  
21 Statutes, is amended to read:

22 367.021 Definitions.--As used in this chapter, the  
23 following words or terms shall have the meanings indicated:

24 (7) "Governmental authority" means a political  
25 subdivision, as defined by s. 1.01(8), a regional water supply  
26 authority created pursuant to s. 373.1962, or a nonprofit  
27 corporation formed for the purpose of acting on behalf of a  
28 political subdivision with respect to a water or wastewater  
29 facility; however, this definition shall exclude a separate  
30 legal entity created pursuant to s. 163.01(7)(q)1.

31 Section 16. Subsections (1) and (4) of section

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1 367.071, Florida Statutes, are amended to read:

2           367.071 Sale, assignment, or transfer of certificate  
3 of authorization, facilities, or control.--

4           (1) ~~A No~~ utility may not ~~shall~~ sell, assign, or  
5 transfer its certificate of authorization, facilities or any  
6 portion thereof, or majority organizational control without  
7 determination and approval of the commission that the proposed  
8 sale, assignment, or transfer is in the public interest and  
9 that the buyer, assignee, or transferee will fulfill the  
10 commitments, obligations, and representations of the utility.

11 ~~However, a sale, assignment, or transfer of its certificate of~~  
12 ~~authorization, facilities or any portion thereof, or majority~~  
13 ~~organizational control may occur prior to commission approval~~  
14 ~~if the contract for sale, assignment, or transfer is made~~  
15 ~~contingent upon commission approval.~~

16           (4) An application shall be disposed of as provided in  
17 s. 367.045, except that:

18           (a) The sale of facilities, in whole or part, to a  
19 governmental authority, as defined in s. 367.021(7), shall be  
20 approved as a matter of right; however, the governmental  
21 authority shall, prior to taking any official action, obtain  
22 from the utility or commission with respect to the facilities  
23 to be sold the most recent available income and expense  
24 statement, balance sheet, and statement of rate base for  
25 regulatory purposes and contributions-in-aid-of-construction.  
26 Any request for rate relief pending before the commission at  
27 the time of sale is deemed to have been withdrawn. Interim  
28 rates, if previously approved by the commission, must be  
29 discontinued, and any money collected pursuant to interim rate  
30 relief must be refunded to the customers of the utility with  
31 interest.

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1 (b) When paragraph (a) does not apply, the commission  
 2 shall amend the certificate of authorization as necessary to  
 3 reflect the change resulting from the sale, assignment, or  
 4 transfer.

5 Section 17. If any provision of this act or the  
 6 application thereof to any person or circumstance is held  
 7 invalid, the invalidity does not affect other provisions or  
 8 applications of this act which can be given effect without the  
 9 invalid provision or application, and to this end the  
 10 provisions of this act are declared severable.

11 Section 18. Private property rights and regional  
 12 reservoirs.--

13 (1) The Legislature finds that construction of a  
 14 regional reservoir designed to store more than 10 billion  
 15 gallons of water may inordinately burden nearby real property  
 16 because of the proximity of the reservoir and may result in a  
 17 loss of value for the property owner. Therefore, a regional  
 18 water supply authority, serving three or fewer counties, that  
 19 is authorized to construct, operate, and maintain such a  
 20 regional reservoir shall be deemed a governmental entity under  
 21 section 70.001, Florida Statutes, the Bert J. Harris, Jr.,  
 22 Private Property Rights Protection Act, for purposes of this  
 23 section.

24 (2) This section provides a cause of action for the  
 25 actions of a regional water supply authority, in siting and  
 26 constructing a reservoir as described in subsection (1), that  
 27 may not rise to the level of a taking under the State  
 28 Constitution or the United States Constitution. This section  
 29 may not necessarily be construed under the case law regarding  
 30 takings if the action of a regional water supply authority  
 31 does not rise to the level of a taking. The provisions of this

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1 section are cumulative and do not abrogate any other remedy  
2 lawfully available, including any remedy lawfully available  
3 for the actions of a regional water supply authority that rise  
4 to the level of a taking. However, a regional water supply  
5 authority may not be liable more than once for compensation  
6 due to an action of the regional water supply authority that  
7 results in a loss of value for a subject real property.

8 (3) Each owner of real property located within 10,000  
9 feet of the the center of the footprint of a regional  
10 reservoir, as described in subsection (1), or 5,500 feet from  
11 the exterior of the berm of such reservoir, may present a  
12 claim for compensation in writing to the head of the regional  
13 water supply authority on or before December 31, 2004, for a  
14 loss in property value resulting from the proximity of the  
15 reservoir. For each claim presented under this section,  
16 section 70.001, Florida Statutes, applies, except when there  
17 is conflict with this section, the provisions of this section  
18 shall govern.

19 (a) The property owner must submit along with the  
20 claim a bona fide, valid appraisal that supports the claim and  
21 demonstrates the loss in fair market value to the real  
22 property.

23 (b) A claim under this section shall be presented only  
24 to the regional water supply authority that is authorized to  
25 construct, operate, and maintain the reservoir.

26 (4) The Legislature recognizes that construction and  
27 maintenance of a regional reservoir may not necessarily  
28 interfere with allowable uses of real property near the  
29 reservoir. However, the siting and construction of the  
30 reservoir may result in an actual loss to the fair market  
31 value of real property located within 10,000 feet of the

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1 center of the footprint of the reservoir, or 5,500 feet from  
2 the exterior of the berm, because of the proximity of the  
3 reservoir. Therefore, any offer of compensation by the  
4 regional water supply authority shall be based solely on the  
5 loss of value for the property owner as a result of the  
6 proximity of the reservoir and not on the effects the  
7 reservoir has on existing uses or on a vested right to a  
8 specific use of real property.

9       (a) Notwithstanding section 70.001, Florida Statutes,  
10 the regional water supply authority to whom a claim is  
11 presented shall, not later than 180 days after receiving such  
12 claim:

13           1. Make a written offer to purchase the real property  
14 if there is more than a 50-percent loss in value to the real  
15 property as a result of the proximity of the reservoir and if  
16 the property owner is a willing seller;

17           2. Make a written offer to purchase an interest in  
18 rights of use which may become transferable development rights  
19 to be held, sold, or otherwise disposed of by the regional  
20 water supply authority; or

21           3. Terminate negotiations.

22       (b) An offer by the regional water supply authority to  
23 purchase the property in fee or purchase an interest in rights  
24 of use under this section shall cover the cost of the  
25 appraisal required in subsection (3).

26       (5) During the 180-day period, unless the property  
27 owner accepts a written offer for purchase pursuant to  
28 subparagraph (4)(a)1. or 2., the regional water supply  
29 authority shall issue a final decision stating that:

30           (a) The real property has a loss in value due to an  
31 inordinate burden on the property resulting from the proximity

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1 of the reservoir and the regional water supply authority and  
2 property owner cannot reach agreement on the amount of  
3 compensation; or

4 (b) The property owner has failed to establish a basis  
5 for relief under the provisions of this section and section  
6 70.001, Florida Statutes.

7  
8 Failure of the regional water supply authority to issue a  
9 final decision as required by this subsection shall cause the  
10 written offer or termination of negotiations required in  
11 subsection (4) to operate as a final decision. As a matter of  
12 law, this final decision constitutes the last prerequisite to  
13 judicial review of the merits for the purposes of the judicial  
14 proceeding provided for in section 70.001, Florida Statutes.

15 (6) The circuit court, for purposes of this section,  
16 shall determine whether, considering the written offer and  
17 final decision, the regional water supply authority has  
18 inordinately burdened the subject real property. Following a  
19 determination that the regional water supply authority has  
20 inordinately burdened the real property, the court shall  
21 impanel a jury to determine the total amount of compensation  
22 to the property owner for the loss in value due to the  
23 inordinate burden to the subject real property.

24 (7) Pursuant to section 70.001, Florida Statutes, the  
25 court may award reasonable costs and attorney's fees and the  
26 court shall determine the amount. If the court awards the  
27 property owner reasonable costs and attorney's fees, the costs  
28 shall include the cost of the appraisal required in subsection  
29 (3).

30 (8) This section shall take effect July 1, 2003, and  
31 is repealed effective January 1, 2005. However, the repeal of



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1 this section shall not affect a claim filed on or before  
2 December 31, 2004.

3 Section 19. Except as otherwise expressly provided in  
4 this act, this act shall take effect upon becoming a law and  
5 shall apply to all contracts pending on that date.

6  
7

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

9 And the title is amended as follows:

10 On page 3, line 2, after the semicolon,

11

12 insert:

13 amending s. 163.01, F.S.; providing  
14 applicability of provisions relating to  
15 ownership and operation of utilities by  
16 entities composed of municipalities and  
17 counties; prescribing powers of counties and  
18 specified municipalities with respect to  
19 acquisition of water utilities and wastewater  
20 utilities by separate legal entities composed  
21 of municipalities and counties; authorizing the  
22 Public Service Commission to review the  
23 acquisition of a utility by two or more host  
24 governments; providing for a binding  
25 arbitration process under the Public Service  
26 Commission to resolve certain disputes relating  
27 to utility acquisition; authorizing the  
28 commission to adopt rules; requiring the Public  
29 Service Commission to establish rules that base  
30 the acquisition price for a host government to  
31 acquire a utility on certain information;

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1           amending s. 120.52, F.S.; deleting an exception  
2           from the requirements of ch. 120, F.S., for an  
3           entity created under s. 163.01(7)(g)1., F.S.;  
4           amending s. 367.021, F.S.; excluding an entity  
5           created under s. 163.01(7)(g)1., F.S., from the  
6           definition of "governmental authority";  
7           amending s. 367.071, F.S.; deleting a provision  
8           authorizing a utility to be sold or transferred  
9           prior to approval of the Public Service  
10          Commission with a contingency clause in the  
11          contract; providing severability; providing  
12          legislative findings with respect to loss of  
13          property values due to the proximity of a  
14          regional water reservoir; authorizing a cause  
15          of action for a property owner; specifying a  
16          period during which a property owner may  
17          present a claim for compensation to the  
18          regional water supply authority that  
19          constructs, operates, and maintains the  
20          reservoir; providing requirements for the offer  
21          of compensation by a regional water supply  
22          authority; providing for judicial review under  
23          the Bert J. Harris, Jr., Private Property  
24          Rights Protection Act; providing for an award  
25          of costs and attorney's fees; providing for  
26          future repeal of the section; providing for  
27          applicability;  
28  
29  
30  
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