

1 | general public of Florida before the Florida Public Service
2 | Commission. The Public Counsel ~~must~~ shall be an attorney
3 | admitted to practice before the Florida Supreme Court and
4 | shall serve at the pleasure of the Attorney General ~~Committee~~
5 | ~~on Public Service Commission Oversight, subject to biennial~~
6 | ~~reconfirmation by the committee.~~ The Public Counsel shall
7 | perform his or her duties independently. Vacancies in the
8 | office shall be filled in the same manner as the original
9 | appointment.

10 | Section 2. Section 350.0613, Florida Statutes, is
11 | amended to read:

12 | 350.0613 Public Counsel; employees; receipt of
13 | pleadings.--The Department of Legal Affairs ~~committee~~ may
14 | authorize the Public Counsel to employ clerical and technical
15 | assistants whose qualifications, duties, and responsibilities
16 | the Department of Legal Affairs ~~committee~~ shall from time to
17 | time prescribe. The Department of Legal Affairs ~~committee~~ may
18 | from time to time authorize retention of the services of
19 | additional attorneys or experts to the extent that the best
20 | interests of the people of the state will be better served
21 | thereby, including the retention of expert witnesses and other
22 | technical personnel for participation in contested proceedings
23 | before the commission. The commission shall furnish the
24 | Public Counsel with copies of the initial pleadings in all
25 | proceedings before the commission, and if the Public Counsel
26 | intervenes as a party in any proceeding he or she shall be
27 | served with copies of all subsequent pleadings, exhibits, and
28 | prepared testimony, if used. Upon filing notice of
29 | intervention, the Public Counsel shall serve all interested
30 | parties with copies of such notice and all of his or her
31 | subsequent pleadings and exhibits.

1 Section 3. Section 350.0614, Florida Statutes, is
2 amended to read:

3 350.0614 Public Counsel; compensation and expenses.--

4 (1) The salaries and expenses of the Public Counsel
5 and his or her employees shall be allocated by the Department
6 of Legal Affairs ~~committee~~ only from moneys appropriated to
7 the Public Counsel by the Legislature.

8 ~~(2) The Legislature declares and determines that the~~
9 ~~Public Counsel is under the legislative branch of government~~
10 ~~within the intention of the legislation as expressed in~~
11 ~~chapter 216, and no power shall be in the Executive Office of~~
12 ~~the Governor or its successor to release or withhold funds~~
13 ~~appropriated to it, but the same shall be available for~~
14 ~~expenditure as provided by law and the rules or decisions of~~
15 ~~the Committee on Public Service Commission Oversight.~~

16 ~~(2)(3)~~ Neither the Executive Office of the Governor
17 nor the Department of Management Services or its successor
18 shall have power to determine the number, or fix the
19 compensation, of the employees of the Public Counsel or to
20 exercise any manner of control over them.

21 Section 4. Subsection (8) of section 112.324, Florida
22 Statutes, is amended to read:

23 112.324 Procedures on complaints of violations; public
24 records and meeting exemptions.--

25 (8) If, in cases pertaining to complaints other than
26 complaints against impeachable officers or members of the
27 Legislature, upon completion of a full and final investigation
28 by the commission, the commission finds that there has been a
29 violation of this part or of s. 8, Art. II of the State
30 Constitution, it shall be the duty of the commission to report
31 its findings and recommend appropriate action to the proper

1 | disciplinary official or body as follows, and such official or
2 | body shall have the power to invoke the penalty provisions of
3 | this part, including the power to order the appropriate
4 | elections official to remove a candidate from the ballot for a
5 | violation of s. 112.3145 or s. 8(a) and (i), Art. II of the
6 | State Constitution:

7 | (a) The President of the Senate and the Speaker of the
8 | House of Representatives, jointly, in any case concerning ~~the~~
9 | ~~Public Counsel~~, members of the Public Service Commission,
10 | members of the Public Service Commission Nominating Council,
11 | the Auditor General, the director of the Office of Program
12 | Policy Analysis and Government Accountability, or members of
13 | the Legislative Committee on Intergovernmental Relations.

14 | (b) The Supreme Court, in any case concerning an
15 | employee of the judicial branch.

16 | (c) The President of the Senate, in any case
17 | concerning an employee of the Senate; the Speaker of the House
18 | of Representatives, in any case concerning an employee of the
19 | House of Representatives; or the President and the Speaker,
20 | jointly, in any case concerning an employee of a committee of
21 | the Legislature whose members are appointed solely by the
22 | President and the Speaker or in any case concerning an
23 | employee of the ~~Public Counsel~~, Public Service Commission,
24 | Auditor General, Office of Program Policy Analysis and
25 | Government Accountability, or Legislative Committee on
26 | Intergovernmental Relations.

27 | (d) Except as otherwise provided by this part, the
28 | Governor, in the case of any other public officer, public
29 | employee, former public officer or public employee, candidate,
30 | or former candidate.

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