

By Senator Fasano

11-02371-08

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1 A bill to be entitled

2 An act relating to the acquisition of a privately owned  
3 water-wastewater utility system; providing legislative  
4 findings and intent with respect to the need for the Pasco  
5 County Board of County Commissioners to acquire Aloha  
6 Utilities, Inc.; providing definitions; requiring the  
7 Department of Environmental Protection to distribute  
8 financial assistance to Pasco County for the purpose of  
9 acquiring Aloha Utilities, Inc.; requiring the county to  
10 issue bonds to fully fund the acquisition; requiring the  
11 department to report to the Governor and the Legislature  
12 by a specified date; providing an appropriation; providing  
13 an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Program to acquire a privately owned water-  
18 wastewater utility system.--

19 (1) The Legislature finds that those portions of Pasco  
20 County which are served by Aloha Utilities, Inc., a privately  
21 owned water-wastewater utility system, are experiencing a present  
22 threat to the environment and a present threat to the health of  
23 the utility customers. In addition, the monopoly utility's lack  
24 of a working customer service program and lack of responsiveness  
25 to customer complaints has created a breakdown in trust that is  
26 irreconcilable. It is therefore the intent of the Legislature to  
27 appropriate funds to Pasco County for the purpose of acquiring  
28 Aloha Utilities, Inc.

29 (2) As used in this section, the term:

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30        (a) "Pasco County" means the Pasco County Board of County  
31 Commissioners.

32        (b) "Department" means the Department of Environmental  
33 Protection.

34        (c) "Aloha Utilities, Inc.," means the privately owned  
35 water-wastewater company franchised by Pasco County to operate in  
36 certain portions of the county.

37        (3) The department shall distribute financial assistance to  
38 Pasco County in the form of an appropriation for the purpose of  
39 acquiring Aloha Utilities, Inc., at its fair market value. Pasco  
40 County shall issue bonds to fully fund the purchase of Aloha  
41 Utilities, Inc.

42        (4) By January 1, 2009, the department shall provide to the  
43 Governor, the President of the Senate, and the Speaker of the  
44 House of Representatives a report concerning the status of the  
45 acquisition by Pasco County of Aloha Utilities, Inc.

46        Section 2. The sum of \$6 million in nonrecurring revenue is  
47 appropriated from the General Revenue Fund to the Department of  
48 Environmental Protection to distribute to Pasco County for the  
49 purpose of funding the acquisition of Aloha Utilities, Inc.

50        Section 3. This act shall take effect July 1, 2008.