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CHAMBER ACTION

Senate

House

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Floor: 16/AD/3R
4/30/2008 10:46 AM

Senator Saunders moved the following amendment:

Senate Amendment

Between line(s) 2043-2044

insert:

Section 30. Subsection (7) is added to section 366.04, Florida Statutes, to read:

366.04 Jurisdiction of commission.--

(7) (a) As used in this subsection, the term "affected municipal electric utility" means a municipality that operates an electric utility that:

- 1. Serves two cities in the same county;
2. Is located in a noncharter county;
3. Has between 30,000 and 35,000 retail electric customers as of September 30, 2007; and
4. Does not have a service territory that extends beyond its home county as of September 30, 2007.



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18 (b) Each affected municipal electric utility shall conduct
19 a referendum election of all of its retail electric customers,
20 with each named retail electric customer having one vote,
21 concurrent with the next regularly scheduled general election
22 following the effective date of this act.

23 (c) The ballot for the referendum election required under
24 paragraph (b) shall contain the following question: "Should a
25 separate electric utility authority be created to operate the
26 business of the electric utility in the affected municipal
27 electric utility?" The statement shall be followed by the word
28 "yes" and the word "no."

29 (d) The provisions of the Election Code relating to notice
30 and conduct of the election shall be followed to the extent
31 practicable. Costs of the referendum election shall be borne by
32 the affected municipal electric utility.

33 (e) If a majority of the affected municipal electric
34 utility's retail electric customers vote in favor of creating a
35 separate electric utility authority, the affected municipal
36 electric utility shall, no later than January 15, 2009, provide
37 to each member of the Legislature whose district includes any
38 portion of the electric service territory of the affected
39 municipal electric utility a proposed charter that transfers
40 operations of its electric, water, and sewer utility businesses
41 to a duly-created authority, the governing board of which shall
42 proportionally represent the number of county and city ratepayers
43 of the electric utility.
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