

By Senator King

8-00998-09

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1 A bill to be entitled
 2 An act relating to the Public Service Commission
 3 Nominating Council; amending s. 350.031, F.S.;
 4 revising provisions relating to the terms of members
 5 of the Public Service Commission Nominating Council;
 6 revising the certification that an appointee is
 7 required to affirm as a condition of appointment to
 8 the council; deleting a provision that authorizes the
 9 council to spend a specified amount for advertising a
 10 vacancy on the council; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:
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14 Section 1. Paragraph (b) of subsection (1), paragraph (a)
 15 of subsection (2), and subsection (4) of section 350.031,
 16 Florida Statutes, are amended, and present subsections (5)
 17 through (9) are redesignated as (4) through (8), respectively,
 18 to read:

19 350.031 Florida Public Service Commission Nominating
 20 Council.—

21 (1)

22 (b) All terms shall be for 4 years except those members of
 23 the House and Senate, who shall serve 2-year terms ~~concurrent~~
 24 ~~with the 2-year elected terms of House members. All terms of the~~
 25 ~~members of the Public Service Commission Nominating Council~~
 26 ~~existing on June 30, 2008, shall terminate upon the effective~~
 27 ~~date of this act; however, such members may serve an additional~~
 28 ~~term if reappointed by the Speaker of the House of~~
 29 ~~Representatives or the President of the Senate. To establish~~

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30 ~~staggered terms, appointments of members shall be made for~~
31 ~~initial terms to begin on July 1, 2008, with each appointing~~
32 ~~officer to appoint three legislator members, one of whom shall~~
33 ~~be a member of the minority party, to terms through the~~
34 ~~remainder of the 2-year elected terms of House members; one~~
35 ~~nonlegislator member to a 6-month term; one nonlegislator member~~
36 ~~to an 18-month term; and one nonlegislator member to a 42-month~~
37 ~~term. Thereafter, The term ~~terms~~ of a the nonlegislator member~~
38 ~~members~~ of the Public Service Commission Nominating Council
39 shall begin on January 1 ~~January 2~~ of the year the term
40 commences and end on December 31 of the fourth year after the
41 term commences. The term of a legislator member who retains his
42 or her legislative seat shall begin on January 1 of the year the
43 term commences and end on December 31 of the second year after
44 the term commences ~~4 years later on January 1.~~

45 (2) (a) A ~~No~~ member or spouse may not ~~shall~~ be the holder of
46 the stocks or bonds of any company, other than through ownership
47 of shares in a mutual fund, regulated by the commission, or any
48 affiliated company of any company regulated by the commission,
49 or be an agent or employee of, or have any interest in, any
50 company regulated by the commission or any affiliated company of
51 any company regulated by the commission, or in any firm which
52 represents in any capacity either companies which are regulated
53 by the commission or affiliates of companies regulated by the
54 commission. As a condition of appointment to the council, each
55 appointee shall affirm to the Speaker and the President his or
56 her qualification by the following certification: "I hereby
57 certify that neither I nor my spouse is ~~am not~~ a stockholder,
58 other than through ownership of shares in a mutual fund, in any

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59 company regulated by the commission or in any affiliate of a
60 company regulated by the commission, nor in any way, directly or
61 indirectly, in the employment of, or engaged in the management
62 of any company regulated by the commission or any affiliate of a
63 company regulated by the commission, or in any firm which
64 represents in any capacity either companies which are regulated
65 by the commission or affiliates of companies regulated by the
66 commission."

67

68 This certification is made as condition to appointment to the
69 Florida Public Service Commission Nominating Council.

70 ~~(4) The council may spend a nominal amount, not to exceed~~
71 ~~\$10,000, to advertise a vacancy on the council, which shall be~~
72 ~~funded by the Florida Public Service Regulatory Trust Fund.~~

73 Section 2. This act shall take effect July 1, 2009.