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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/21/2012	.	
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The Committee on Environmental Preservation and Conservation (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Study Committee on Investor-Owned Water and Wastewater Utility Systems.-

(1) There is created a Study Committee on Investor-Owned Water and Wastewater Utility Systems, which shall be composed of 18 residents of the state designated and appointed as follows:

(a) The chair of the Public Service Commission or a commissioner designated by the chair, who shall serve as chair of the committee and shall be a nonvoting member of the



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- 13 committee.
- 14 (b) The Secretary of Environmental Protection or his or her
15 designee, who shall be a nonvoting member of the committee.
- 16 (c) The Public Counsel or his or her designee, who shall be
17 a nonvoting member of the committee.
- 18 (d) One member of the Senate appointed by the President of
19 the Senate.
- 20 (e) One member of the House of Representatives appointed by
21 the Speaker of the House of Representatives.
- 22 (f) Two representatives of Class A investor-owned water or
23 wastewater utilities appointed by the Governor.
- 24 (g) One representative of a Class B investor-owned water or
25 wastewater utility appointed by the Governor.
- 26 (h) One representative of a Class C investor-owned water or
27 wastewater utility appointed by the Governor.
- 28 (i) One customer of a Class A investor-owned water or
29 wastewater utility appointed by the Governor.
- 30 (j) One customer of a Class B or Class C investor-owned
31 water or wastewater utility appointed by the Governor.
- 32 (k) One representative of a water management district
33 appointed by the Governor.
- 34 (l) One representative of the Florida Section of the
35 American Water Works Association appointed by the Governor.
- 36 (m) One representative of the Florida Rural Water
37 Association appointed by the Governor.
- 38 (n) One representative of a water or wastewater system
39 owned or operated by a municipal or county government appointed
40 by the Governor.
- 41 (o) One representative of a governmental authority that is



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42 created pursuant to chapter 163, Florida Statutes, appointed by
43 the Governor.

44 (p) The chair of a county commission that regulates
45 investor-owned water or wastewater utility systems appointed by
46 the Governor.

47 (q) One representative of a county health department
48 appointed by the Governor.

49 (2) The members shall serve until the work of the committee
50 is complete and the committee is terminated, except that if a
51 member no longer serves in the position required for
52 appointment, the member shall be replaced by the individual who
53 serves in such position.

54 (3) Members of the committee shall serve without
55 compensation, but are entitled to reimbursement for all
56 reasonable and necessary expenses, including travel expenses, in
57 the performance of their duties as provided in s. 112.061,
58 Florida Statutes.

59 (4) An appointing authority may remove or suspend a member
60 appointed by it for cause, including, but not limited to,
61 failure to attend two or more meetings of the committee.

62 (5) The Public Service Commission shall provide the staff,
63 information, assistance, and facilities as are deemed necessary
64 for the committee to carry out its duties under this section.
65 Funding for the committee shall be paid from the Florida Public
66 Service Regulatory Trust Fund.

67 (6) The committee shall identify issues of concern of
68 investor-owned water and wastewater utility systems,
69 particularly small systems, and their customers and research
70 possible solutions. In addition, the committee shall consider:



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71 (a) The ability of a small investor-owned water or
72 wastewater utility to achieve economies of scale when purchasing
73 equipment, commodities, or services.

74 (b) The availability of low interest loans to a small,
75 privately owned water or wastewater utility.

76 (c) Any tax incentives or exemptions, temporary or
77 permanent, which are available to a small water or wastewater
78 utility.

79 (d) The impact on customer rates if a utility purchases an
80 existing water or wastewater utility system.

81 (e) The impact on customer rates of a utility providing
82 service through the use of a reseller.

83 (f) Other issues that the committee identifies during its
84 investigation.

85 (7) The committee shall meet at the time and location as
86 the chair determines, except that the committee shall meet a
87 minimum of four times. At least two meetings must be held in an
88 area that is centrally located to utility customers who have
89 recently been affected by a significant increase in water or
90 wastewater utility rates. The public shall be given the
91 opportunity to speak at the meetings.

92 (8) By February 15, 2013, the committee shall prepare and
93 submit to the Governor, the President of the Senate, and the
94 Speaker of the House of Representatives a report detailing its
95 findings pursuant to subsection (6) and making specific
96 legislative recommendations, including proposed legislation
97 intended to implement its recommendations. If the committee, in
98 its report, finds that an issue may effectively be addressed
99 through agency rulemaking, the committee shall submit to the



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100 appropriate agencies its report and recommendations, including
101 proposed rules.

102 (9) This section expires and the committee terminates June
103 30, 2013.

104 Section 2. This act shall take effect upon becoming a law.

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

107 And the title is amended as follows:

108 Delete everything before the enacting clause
109 and insert:

110 A bill to be entitled
111 An act relating to water and wastewater utilities;
112 creating the Study Committee on Investor-Owned Water
113 and Wastewater Utility Systems; providing for
114 membership and terms of service; prohibiting
115 compensation of the members; providing for
116 reimbursement of the members for certain expenses;
117 providing for removal or suspension of members by the
118 appointing authority; requiring the Public Service
119 Commission to provide staff, information, assistance,
120 and facilities that are deemed necessary for the
121 committee to perform its duties; providing for funding
122 from the Florida Public Service Regulatory Trust Fund;
123 providing duties of the committee; providing for
124 public meetings; requiring the committee to report its
125 findings to the Governor, the Legislature, and
126 appropriate agencies and make certain recommendations;
127 providing for future termination of the committee;
128 providing an effective date.