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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/13/2012	.	
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The Committee on Communications, Energy, and Public Utilities (Gardiner) 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 17 members designated and appointed as follows:

(a) Two Senators appointed by the President of the Senate, one of whom shall be appointed as chair by the President of the Senate.



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13 (b) Two Representatives appointed by the Speaker of the
14 House of Representatives.

15 (c) The Secretary of Environmental Protection or his or her
16 designee, who shall be a nonvoting member of the committee.

17 (d) The chair of the Public Service Commission or his or
18 her designee, who shall be a nonvoting member of the committee.

19 (e) A representative of a water management district
20 appointed by the Governor.

21 (f) A representative of a water or wastewater system owned
22 or operated by a municipal government appointed by the Governor.

23 (g) A representative of a water or wastewater system owned
24 or operated by a county government appointed by the Governor.

25 (h) The chair of a county commission that regulates
26 investor-owned water or wastewater utility systems appointed by
27 the Governor, who shall be a nonvoting member of the committee.

28 (i) A representative of a county health department
29 appointed by the Governor, who shall be a nonvoting member of
30 the committee.

31 (j) A representative of the Florida Rural Water Association
32 appointed by the Governor.

33 (k) A representative of a small investor-owned water or
34 wastewater utility appointed by the Governor.

35 (l) A representative of a large investor-owned water or
36 wastewater utility appointed by the Governor.

37 (m) The Public Counsel or his or her designee.

38 (n) A customer of a Class C water or wastewater utility
39 appointed by the Governor.

40 (o) A representative of a governmental authority that was
41 created pursuant to chapter 163, Florida Statutes, appointed by



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42 the Governor.

43 (2) The members shall serve until the work of the committee
44 is complete and the committee is terminated, except that if a
45 member no longer serves in the position required for
46 appointment, the member shall be replaced by the individual who
47 serves in such position.

48 (3) Members of the committee shall serve without
49 compensation, but are entitled to reimbursement for all
50 reasonable and necessary expenses, including travel expenses, in
51 the performance of their duties as provided in s. 112.061,
52 Florida Statutes.

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

56 (5) The Public Service Commission shall provide the staff,
57 information, assistance, and facilities as are deemed necessary
58 for the committee to carry out its duties under this section.
59 Funding for the committee shall be paid from the Florida Public
60 Service Regulatory Trust Fund.

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

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

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

70 (c) Any tax incentives or exemptions, temporary or



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71 permanent, which are available to a small water or wastewater
72 utility.

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

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

77 (f) Other issues that the committee identifies during its
78 investigation.

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

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

96 (9) This section expires and the committee terminates June
97 30, 2013.

98 Section 2. This act shall take effect upon becoming a law.
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100 ===== T I T L E A M E N D M E N T =====

101 And the title is amended as follows:

102 Delete everything before the enacting clause
103 and insert:

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