

By the Committee on Communications, Energy, and Public Utilities; and Senators Hays, Storms, and Fasano

579-03307-12

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1 A bill to be entitled
2 An act relating to water and wastewater utilities;
3 creating the Study Committee on Investor-Owned Water
4 and Wastewater Utility Systems; providing for
5 membership and terms of service; prohibiting
6 compensation of the members; providing for
7 reimbursement of the members for certain expenses;
8 providing for removal or suspension of members by the
9 appointing authority; requiring the Public Service
10 Commission to provide staff, information, assistance,
11 and facilities that are deemed necessary for the
12 committee to perform its duties; providing for funding
13 from the Florida Public Service Regulatory Trust Fund;
14 providing duties of the committee; providing for
15 public meetings; requiring the committee to report its
16 findings to the Governor, the Legislature, and
17 appropriate agencies and make certain recommendations;
18 providing for future termination of the committee;
19 providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Study Committee on Investor-Owned Water and
24 Wastewater Utility Systems.—

25 (1) There is created a Study Committee on Investor-Owned
26 Water and Wastewater Utility Systems, which shall be composed of
27 17 members designated and appointed as follows:

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

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30 Senate.

31 (b) Two Representatives appointed by the Speaker of the
32 House of Representatives.

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

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

37 (e) A representative of a water management district
38 appointed by the Governor.

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

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

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

46 (i) A representative of a county health department
47 appointed by the Governor, who shall be a nonvoting member of
48 the committee.

49 (j) A representative of the Florida Rural Water Association
50 appointed by the Governor.

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

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

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

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

58 (o) A representative of a governmental authority that was

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59 created pursuant to chapter 163, Florida Statutes, appointed by
60 the Governor.

61 (2) The members shall serve until the work of the committee
62 is complete and the committee is terminated, except that if a
63 member no longer serves in the position required for
64 appointment, the member shall be replaced by the individual who
65 serves in such position.

66 (3) Members of the committee shall serve without
67 compensation, but are entitled to reimbursement for all
68 reasonable and necessary expenses, including travel expenses, in
69 the performance of their duties as provided in s. 112.061,
70 Florida Statutes.

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

74 (5) The Public Service Commission shall provide the staff,
75 information, assistance, and facilities as are deemed necessary
76 for the committee to carry out its duties under this section.
77 Funding for the committee shall be paid from the Florida Public
78 Service Regulatory Trust Fund.

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

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

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

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88 (c) Any tax incentives or exemptions, temporary or
89 permanent, which are available to a small water or wastewater
90 utility.

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

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

95 (f) Other issues that the committee identifies during its
96 investigation.

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

104 (8) By February 15, 2013, the committee shall prepare and
105 submit to the Governor, the President of the Senate, and the
106 Speaker of the House of Representatives a report detailing its
107 findings pursuant to subsection (6) and making specific
108 legislative recommendations, including proposed legislation
109 intended to implement its recommendations. If the committee, in
110 its report, finds that an issue may effectively be addressed
111 through agency rulemaking, the committee shall submit to the
112 appropriate agencies its report and recommendations, including
113 proposed rules.

114 (9) This section expires and the committee terminates June
115 30, 2013.

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