## Florida Senate - 2001

By Senator Brown-Waite

10-427-01 See HB 41 A bill to be entitled 1 2 An act relating to water and wastewater 3 systems; reenacting s. 350.0611, F.S., relating 4 to duties and powers of the Public Counsel; 5 providing an effective date. 6 7 Be It Enacted by the Legislature of the State of Florida: 8 9 Section 1. Section 350.0611, Florida Statutes, as 10 amended by section 12 of chapter 2000-350, Laws of Florida, is reenacted to read: 11 12 350.0611 Public Counsel; duties and powers.--It shall be the duty of the Public Counsel to provide legal 13 representation for the people of the state in proceedings 14 before the commission and in proceedings before counties 15 pursuant to s. 367.171(8). The Public Counsel shall have such 16 17 powers as are necessary to carry out the duties of his or her office, including, but not limited to, the following specific 18 19 powers: 20 (1) To recommend to the commission, by petition, the 21 commencement of any proceeding or action or to appear, in the 22 name of the state or its citizens, in any proceeding or action before the commission and urge therein any position which he 23 or she deems to be in the public interest, whether consistent 24 25 or inconsistent with positions previously adopted by the commission, and utilize therein all forms of discovery 26 27 available to attorneys in civil actions generally, subject to 28 protective orders of the commission which shall be reviewable by summary procedure in the circuit courts of this state; 29 30 31 1

CODING: Words stricken are deletions; words underlined are additions.

SB 344

## **Florida Senate - 2001** 10-427-01

1	(2) To have access to and use of all files, records,
2	and data of the commission available to any other attorney
3	representing parties in a proceeding before the commission;
4	(3) In any proceeding in which he or she has
5	participated as a party, to seek review of any determination,
6	finding, or order of the commission, or of any hearing
7	examiner designated by the commission, in the name of the
8	state or its citizens;
9	(4) To prepare and issue reports, recommendations, and
10	proposed orders to the commission, the Governor, and the
11	Legislature on any matter or subject within the jurisdiction
12	of the commission, and to make such recommendations as he or
13	she deems appropriate for legislation relative to commission
14	procedures, rules, jurisdiction, personnel, and functions;
15	(5) To appear before other state agencies, federal
16	agencies, and state and federal courts in connection with
17	matters under the jurisdiction of the commission, in the name
18	of the state or its citizens.
19	Section 2. This act shall take effect upon becoming a
20	law.
21	
22	* * * * * * * * * * * * * * * * * * * *
23	HOUSE SUMMARY
24	Reenacts s. 350.0611, F.S., which requires the Public
25	Counsel to provide legal representation in proceedings before counties pursuant to s. 367.171(8), F.S., relating
26	to county regulation of utility rates.
27	
28	
29	
30	
31	
	2

**CODING:**Words stricken are deletions; words <u>underlined</u> are additions.