

Bill No. CS for CS for CS for SB 888

Barcode 293562

CHAMBER ACTION

Senate

House

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Senator Constantine moved the following amendment:

Senate Amendment (with title amendment)

On page 13, line 16, through page 25, line 13, delete those lines

and insert:

Section 1. Florida Energy Commission.--

(1) The Florida Energy Commission is created and shall be located within the Office of Legislative Services for administrative purposes. The commission shall be comprised of a total of 13 members, of whom nine shall be voting members and four shall be nonvoting members, as follows:

(a) The voting members shall be appointed as follows: the President of the Senate and the Speaker of the House of Representatives shall appoint, in consultation with the minority office of their respective chamber, four members each. The President and the Speaker shall jointly appoint a ninth member, who shall be the chair. Voting members shall be appointed to 2-year terms; however, in order to establish staggered terms, for the initial appointments each appointing

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1 official shall appoint two members to a 1-year term and two
2 members to a 2-year term. Voting members must meet the
3 following qualifications and restrictions:

4 1. A voting member must be an expert in one or more of
5 the following fields: energy, natural resource conservation,
6 economics, engineering, finance, law, consumer protection,
7 state energy policy, or another field substantially related to
8 the duties and functions of the commission. The commission
9 shall fairly represent the fields specified in this
10 subparagraph.

11 2. A voting member may not, at the time of appointment
12 or during his or her term of office:

13 a. Have any financial interest, other than ownership
14 of shares in a mutual fund, in any business entity that,
15 directly or indirectly, owns or controls, or is an affiliate
16 or subsidiary of, any business entity that may profit by the
17 policy recommendations developed by the commission.

18 b. Be employed by or engaged in any business activity
19 with any business entity that, directly or indirectly, owns or
20 controls, or is an affiliate or subsidiary of, any business
21 entity that may profit by the policy recommendations developed
22 by the commission.

23 (b) The nonvoting members shall include:

24 1. The chair of the Florida Public Service Commission;

25 2. The Public Counsel;

26 3. The Commissioner of Agriculture, or his or her
27 designee; and

28 4. The director of the Office of Insurance Regulation,
29 or his or her designee.

30 (c) The following persons may also attend meetings and
31 provide information and advice:

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- 1 1. The director of the Florida Solar Energy Center;
- 2 2. The Secretary of Health;
- 3 3. The chair of the State Board of Education;
- 4 4. The Secretary of Community Affairs;
- 5 5. The Secretary of Transportation; and
- 6 6. The Secretary of Environmental Protection.

7 (2) Voting members shall serve without compensation,
 8 but are entitled to reimbursement for per diem and travel
 9 expenses as provided by s. 112.061, Florida Statutes.

10 Nonvoting members shall serve at the expense of the entity
 11 they represent.

12 (3) Meetings of the commission shall be held in
 13 various locations around the state and at the call of the
 14 chair; however, the commission must meet at least twice each
 15 year.

16 (4)(a) The commission may employ staff to assist in
 17 the performance of its duties, including an executive
 18 director, an attorney, a communications person, and an
 19 executive assistant.

20 (b) Agencies whose heads serve as nonvoting members
 21 shall supply staff and resources as necessary to provide
 22 information needed by the commission.

23 (c) The commission may appoint focus groups to
 24 consider specific issues.

25 (5) The commission shall develop recommendations for
 26 legislation to establish a state energy policy. The
 27 recommendations of the commission shall be based on the
 28 guiding principles of reliability, efficiency, affordability,
 29 and diversity as provided in subsection (7). The commission
 30 shall continually review the state energy policy and shall
 31 recommend to the Legislature any additional necessary changes

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1 or improvements.

2 (6)(a) The commission shall report by December 31 of
3 each year to the President of the Senate and the Speaker of
4 the House of Representatives on its progress and
5 recommendations, including draft legislation.

6 (b) The commission's initial report must identify
7 incentives for research, development, or deployment projects
8 involving the goals and issues set forth in this section; set
9 forth recommendations for improvements to the electricity
10 transmission and distribution system, including recommended
11 incentives to encourage electric utilities and local
12 governments to work together in good faith on issues of
13 underground utilities; set forth the appropriate test for the
14 Florida Public Service Commission to use in determining which
15 energy efficiency programs are cost-effective and should be
16 implemented, together with the rationale in selecting the
17 test; and set forth a plan of action, together with a
18 timetable, for addressing additional issues.

19 (c)1. The commission's initial report shall also
20 recommend consensus-based public-involvement processes to
21 reduce greenhouse gas emissions in this state and to make such
22 reductions and related economic, energy, and environmental
23 co-benefits a state priority.

24 2. The report must include recommended steps and a
25 schedule for the development of a comprehensive state climate
26 action plan with statewide greenhouse-gas-reduction goals and
27 a range of specific policy options for all economic sectors to
28 be developed through a public-involvement process, including
29 transportation and land use; power generation; residential,
30 commercial, and industrial activities; waste management;
31 agriculture and forestry; emissions-reporting systems; and

1 public education.

2 3. The climate action plan must include:

3 a. Recommendations for the development of an annual
4 greenhouse-gas-emissions inventory by the Department of
5 Environmental Protection, recommendations for the development
6 of a current comprehensive inventory of state greenhouse gas
7 emissions since 1990 and a similar forecast of state
8 greenhouse gas emissions from the present to the year 2020 or
9 later.

10 b. Recommended steps to identify areas where specific
11 greenhouse-gas-reduction policies are feasible; the costs and
12 benefits of each recommendation; methods for helping
13 individuals, institutions, and businesses reduce emissions; an
14 implementation schedule; and identification of funding
15 requirements for the development and implementation of
16 strategies.

17 c. Consideration of the feasibility of establishing by
18 law a greenhouse-gas-reduction target to lower greenhouse gas
19 emissions in the state below the forecasted levels of
20 emissions growth in the future at maximum achievable levels.

21 (7) In developing its recommendations, the commission
22 shall be guided by the principles of reliability, efficiency,
23 affordability, and diversity, and more specifically as
24 follows:

25 (a) The state should have a reliable electric supply,
26 with adequate reserves.

27 (b) The transmission and delivery of electricity
28 should be reliable.

29 (c) The generation, transmission, and delivery of
30 electricity should be accomplished with the least detriment to
31 the environment and public health.

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1 (d) The generation, transmission, and delivery of
2 electricity should be accomplished compatibly with the goals
3 for growth management.

4 (e) Electricity generation, transmission, and delivery
5 facilities should be reasonably secure from damage, taking all
6 factors into consideration, and recovery from damage should be
7 prompt.

8 (f) Electric rates should be affordable, as to base
9 rates and all recovery-clause additions, with sufficient
10 incentives for utilities to achieve this goal.

11 (g) This state should have a reliable supply of motor
12 vehicle fuels, both under normal circumstances and during
13 hurricanes and other emergency situations.

14 (h) In-state research, development, and deployment of
15 alternative energy technologies and alternative motor vehicle
16 fuels should be encouraged.

17 (i) When possible, the resources of this state should
18 be used in achieving these goals.

19 (j) Consumers of energy should be encouraged and given
20 incentives to be more efficient in their use of energy.

21
22 In choosing between conflicting or competing goals, the
23 commission shall balance the projected benefits of affordable,
24 reliable energy supplies against detrimental cost and
25 environmental impacts and recommend the best solution, with a
26 complete and detailed explanation of the factors considered
27 and the rationale for the decision.

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29 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3 On page 1, lines 1 through 24, delete those lines

4

5 and insert:

6 A bill to be entitled

7 An act relating to energy; creating the Florida

8 Energy Commission, which is located within the

9 Office of Legislative Services for

10 administrative purposes; providing for the

11 membership of the commission; providing for

12 appointment, terms of office, and

13 qualifications of members; providing for voting

14 members to be reimbursed for per diem and

15 travel expenses; providing for meetings of the

16 commission; authorizing the commission to

17 employ staff; requiring that the commission

18 develop policy recommendations; requiring an

19 annual report to the Legislature;

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