

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Agriculture & Natural
 2 Resources Appropriations Subcommittee
 3 Representative Pigman offered the following:

Amendment (with title amendment)

Remove lines 92-121 and insert:

Section 5. Subsections (2) through (4) of section 403.709,
 Florida Statutes, are renumbered as subsections (3) through (5),
 respectively, and a new subsection (2) is added to that section
 to read:

403.709 Solid Waste Management Trust Fund; use of waste
 tire fees.—There is created the Solid Waste Management Trust
 Fund, to be administered by the department.

(2) Notwithstanding subsection (1), a solid waste landfill
 closure account is established within the Solid Waste Management
 Trust Fund to provide funding for the closing and long-term care
 of solid waste management facilities.

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18 (a) The department may use funds from the account to
19 contract with a third party for the closing and long-term care
20 of a solid waste management facility if:

21 1. The facility has, had, or was not required to obtain a
22 department permit to operate the facility;

23 2. The permittee, where required by permit or rule,
24 provided proof of financial assurance for closure in the form of
25 an insurance certificate or an alternative form of financial
26 assurance mechanism established pursuant to s. 403.7125;

27 3. The department has ordered the facility closed or has
28 deemed the facility abandoned;

29 4. The closure of the facility is accomplished in
30 substantial accordance with a closure plan approved by the
31 department; and

32 5. The department has sufficient documentation to confirm
33 that the issuer of the insurance policy or alternative form of
34 financial assurance will provide or reimburse the funds required
35 to complete the closing and long-term care of the facility.

36 (b) The department shall deposit all funds received from
37 the insurer or other parties for reimbursing the costs of
38 closing or long-term care of the facility under this subsection
39 into the solid waste landfill closure account.

40 (c) If the amount available under the insurance policy or
41 alternative form of financial assurance is insufficient, or is
42 otherwise unavailable, to perform or complete the facility
43 closing or long-term care under this subsection, and the

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44 department has used all such funds from the insurance policy or
45 alternative form of financial assurance, the department may use
46 funds from the Solid Waste Management Trust Fund to pay for or
47 reimburse additional expenses needed for performing or
48 completing the approved facility closure or long-term care
49 activities.

50 ~~(5) (a) Notwithstanding subsection (1), a solid waste~~
51 ~~landfill closure account is established within the Solid Waste~~
52 ~~Management Trust Fund to provide funding for the closing and~~
53 ~~long term care of solid waste management facilities. The~~
54 ~~department may use funds from the account to contract with a~~
55 ~~third party for the closing and long term care of a solid waste~~
56 ~~management facility if:~~

57 ~~1. The facility has or had a department permit to operate~~
58 ~~the facility;~~

59 ~~2. The permittee provided proof of financial assurance for~~
60 ~~closure in the form of an insurance certificate;~~

61 ~~3. The facility is deemed to be abandoned or was ordered to~~
62 ~~close by the department.~~

63 ~~4. Closure is accomplished in substantial accordance with a~~
64 ~~closure plan approved by the department; and~~

65 ~~5. The department has written documentation that the~~
66 ~~insurance company issuing the closure insurance policy will~~
67 ~~provide or reimburse the funds required to complete closing and~~
68 ~~long term care of the facility.~~

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69 ~~(b) The department shall deposit the funds received from~~
70 ~~the insurance company as reimbursement for the costs of closing~~
71 ~~or long term care of the facility in to the solid waste landfill~~
72 ~~closure account.~~

73 ~~(c) This subsection expires July 1, 2016.~~

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76 **T I T L E A M E N D M E N T**

77 Remove line 15 and insert:

78 department to use funds from the Solid Waste Management Trust
79 Fund to pay for or