

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Council for Ready Infrastructure offered the following:

Amendment (with title amendment)

14 Remove from the bill: Everything after the enacting clause
15
16 and insert in lieu thereof:

17 Section 1. Paragraph (f) of subsection (1) of section
18 165.061, Florida Statutes, is added, and paragraph (d) of
19 subsection (2) is amended to said section, to read:

20 165.061 Standards for incorporation, merger, and
21 dissolution.--

22 (1) The incorporation of a new municipality, other
23 than through merger of existing municipalities, must meet the
24 following conditions in the area proposed for incorporation:

25 (f) In accordance with s. 10, Art. I of the State
26 Constitution, the plan for incorporation must honor existing
27 solid waste contracts in the affected geographic area subject
28 to incorporation; however, the plan for incorporation may
29 provide that existing contracts for solid waste collection
30 services shall be honored only for 5 years or the remainder of
31 the contract term, whichever is shorter, excluding any

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1 automatic renewals or so-called "evergreen" provisions, and
2 may require that a copy of the pertinent portion of the
3 contract or other written evidence of the duration of the
4 contract, be provided to the municipality within a reasonable
5 time following a written request to do so.

6 (2) The incorporation of a new municipality through
7 merger of existing municipalities and associated
8 unincorporated areas must meet the following conditions:

9 (d) In accordance with s. 10, Art. I of the State
10 Constitution, the plan for merger ~~or incorporation~~ must honor
11 existing solid waste contracts in the affected geographic area
12 subject to merger ~~or incorporation~~; however, the plan for
13 merger ~~or incorporation~~ may provide that existing contracts
14 for solid waste collection services shall be honored only for
15 5 years or the remainder of the contract term, whichever is
16 shorter, excluding any automatic renewals or so-called
17 "evergreen" provisions, and may require that a copy of the
18 pertinent portion of the contract or other written evidence of
19 the duration of the contract, be provided to the municipality
20 within a reasonable time following a written request to do so.

21 Section 2. Subsection (14) is added to section
22 403.707, Florida Statutes, to read:

23 403.707 Permits.--

24 (14) Before or on the same day of filing with the
25 department of an application for a permit to construct or
26 substantially modify a solid waste management facility, the
27 applicant shall notify the local government having
28 jurisdiction over the facility of the filing of the
29 application. The applicant also shall publish notice of the
30 filing of the application in a newspaper of general
31 circulation in the area where the facility will be located.

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1 Notice shall be given and published in accordance with
2 applicable department rules. The department shall not issue
3 the requested permit until the applicant has provided the
4 department with proof that the notices required by this
5 subsection have been given. Issuance of a permit does not
6 relieve an applicant from compliance with local zoning or land
7 use ordinances, or with any other law, rules, or ordinances.

8 Section 3. Section 403.71851, Florida Statutes, is
9 amended to read:

10 403.71851 Electronic recycling ~~Lead-containing~~
11 ~~materials~~ grants.--The Department of Environmental Protection
12 is authorized to use funds from the Solid Waste Management
13 Trust Fund as grants to Florida-based businesses with 5 or
14 more years' experience in electronics recycling that recycle
15 electronics such as commercial telephone switching equipment,
16 computers, televisions, ~~lead-acid batteries and other~~
17 ~~lead-containing materials, including products such as~~
18 ~~televisions and computer monitors and other products~~ that
19 utilize lead-containing cathode ray tubes. This ~~incentive~~
20 funding shall ~~may~~ be used for demonstration projects with one
21 or more counties for countywide comprehensive electronics
22 recycling where that term means recycling that provides
23 service to the private sector, nonprofit organizations,
24 governmental agencies and the residential sector. This funding
25 may also be used for grants to counties to develop methods to
26 collect and transport electronics to be recycled provided such
27 methods are comprehensive in nature ~~research and development~~
28 ~~in methods to recover and recycle lead from the environment;~~
29 ~~for innovative technologies and equipment to process and~~
30 ~~recycle lead-containing materials; and for establishing an~~
31 ~~infrastructure to collect and transport lead-containing~~

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1 ~~material to Florida-based recycling businesses.~~

2 Section 4. The Department of Environmental Protection
3 shall conduct a comprehensive review of the waste reduction
4 and recycling goals set out in this section and other
5 legislative requirements in view of reduced available funding
6 for these purposes. The review shall include, but is not
7 limited to, the appropriateness of maintaining, extending, or
8 revising the goals; the effectiveness of current programs for
9 meeting the goals; the role of Keep Florida Beautiful, Inc.;
10 the need to continue those programs; alternative techniques
11 for improving those programs; and alternative strategies for
12 meeting the needs of the programs. The department shall
13 consult with persons knowledgeable about recycling and waste
14 reduction, including, but not limited to, representatives of
15 local government, the private recycling industry, and private
16 waste management industry. The department shall issue its
17 report and recommendations to the Governor, the President of
18 the Senate, and the Speaker of the House of Representatives by
19 September 30, 2001.

20 Section 5. This act shall take July 1, 2001.

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

24 And the title is amended as follows:

25 On page 1, lines 2 through 9
26 remove from the title of the bill: all of said lines

27
28 and insert in lieu thereof:

29 An act relating to solid waste management;
30 amending s. 165.061, F.S.; providing for the
31 continuation of existing solid waste contracts;

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1 requiring written evidence of the duration of
2 the contract within a specified timeframe;
3 amending s. 403.707, F.S.; requiring an
4 applicant for a permit to construct or modify a
5 solid waste management facility to notify the
6 local government of the filing of application;
7 requiring publishing of the application;
8 providing requirements with respect thereto;
9 amending s. 403.71851, F.S.; providing for
10 electronics recycling grants; providing that
11 grant funding shall be used for certain
12 demonstration projects; providing for the
13 Department of Environmental Protection to
14 conduct a comprehensive review of certain waste
15 reduction and recycling goals and other related
16 legislative requirements; providing that the
17 department must issue a report; providing an
18 effective date.

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