

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

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

Representative(s) Ball offered the following:

Substitute Amendment for Amendment (073535) (with title amendment)

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

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

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

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

(f) In accordance with s. 10, Art. I of the State Constitution, the plan for incorporation must honor existing solid waste contracts in the affected geographic area subject to incorporation; however, the plan for incorporation may provide that existing contracts for solid waste collection services shall be honored only for 5 years or the remainder of

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

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

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

22 Section 2. Subsection (14) is added to section
23 403.707, Florida Statutes, to read:

24 403.707 Permits.--

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

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

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

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

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1 ~~infrastructure to collect and transport lead-containing~~
2 ~~material to Florida-based recycling businesses.~~

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

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

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

25 And the title is amended as follows:

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

28
29 and insert in lieu thereof:

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

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

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