

1 A bill to be entitled
2 An act relating to solid waste management;
3 amending s. 165.061, F.S.; providing for the
4 continuation of existing solid waste contracts;
5 requiring written evidence of the duration of
6 the contract within a specified timeframe;
7 amending s. 403.707, F.S.; requiring an
8 applicant for a permit to construct or modify a
9 solid waste management facility to notify the
10 local government of the filing of application;
11 requiring publishing of the application;
12 providing requirements with respect thereto;
13 amending s. 403.71851, F.S.; providing for
14 electronics recycling grants; providing that
15 grant funding shall be used for certain
16 demonstration projects; providing for the
17 Department of Environmental Protection to
18 conduct a comprehensive review of certain waste
19 reduction and recycling goals and other related
20 legislative requirements; providing that the
21 department must issue a report; providing an
22 effective date.

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24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Paragraph (f) of subsection (1) of section
27 165.061, Florida Statutes, is added, and paragraph (d) of
28 subsection (2) is amended to said section, to read:
29 165.061 Standards for incorporation, merger, and
30 dissolution.--

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

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

16 (2) The incorporation of a new municipality through
17 merger of existing municipalities and associated
18 unincorporated areas must meet the following conditions:

19 (d) In accordance with s. 10, Art. I of the State
20 Constitution, the plan for merger ~~or incorporation~~ must honor
21 existing solid waste contracts in the affected geographic area
22 subject to merger ~~or incorporation~~; however, the plan for
23 merger ~~or incorporation~~ may provide that existing contracts
24 for solid waste collection services shall be honored only for
25 5 years or the remainder of the contract term, whichever is
26 shorter, excluding any automatic renewals or so-called
27 "evergreen" provisions, and may require that a copy of the
28 pertinent portion of the contract or other written evidence of
29 the duration of the contract, be provided to the municipality
30 within a reasonable time following a written request to do so.

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

3 403.707 Permits.--

4 (14) Before or on the same day of filing with the
5 department of an application for a permit to construct or
6 substantially modify a solid waste management facility, the
7 applicant shall notify the local government having
8 jurisdiction over the facility of the filing of the
9 application. The applicant also shall publish notice of the
10 filing of the application in a newspaper of general
11 circulation in the area where the facility will be located.
12 Notice shall be given and published in accordance with
13 applicable department rules. The department shall not issue
14 the requested permit until the applicant has provided the
15 department with proof that the notices required by this
16 subsection have been given. Issuance of a permit does not
17 relieve an applicant from compliance with local zoning or land
18 use ordinances, or with any other law, rules, or ordinances.

19 Section 3. Section 403.71851, Florida Statutes, is
20 amended to read:

21 403.71851 Electronic recycling ~~Lead-containing~~
22 ~~materials~~ grants.--The Department of Environmental Protection
23 is authorized to use funds from the Solid Waste Management
24 Trust Fund as grants to Florida-based businesses with 5 or
25 more years' experience in electronics recycling that recycle
26 electronics such as commercial telephone switching equipment,
27 computers, televisions, ~~lead-acid batteries and other~~
28 ~~lead-containing materials, including products such as~~
29 ~~televisions and computer monitors and other products~~ that
30 utilize lead-containing cathode ray tubes. This incentive
31 funding shall may be used for demonstration projects with one

1 or more counties for countywide comprehensive electronics
2 recycling where that term means recycling that provides
3 service to the private sector, nonprofit organizations,
4 governmental agencies and the residential sector. This funding
5 may also be used for grants to counties to develop methods to
6 collect and transport electronics to be recycled provided such
7 methods are comprehensive in nature ~~research and development~~
8 ~~in methods to recover and recycle lead from the environment;~~
9 ~~for innovative technologies and equipment to process and~~
10 ~~recycle lead-containing materials;~~ and for establishing an
11 infrastructure to collect and transport lead-containing
12 material to Florida-based recycling businesses.

13 Section 4. The Department of Environmental Protection
14 shall conduct a comprehensive review of the waste reduction
15 and recycling goals set out in part IV of chapter 403, Florida
16 Statutes, and other legislative requirements in view of
17 reduced available funding for these purposes. The review shall
18 include, but is not limited to, the appropriateness of
19 maintaining, extending, or revising the goals; the
20 effectiveness of current programs for meeting the goals; the
21 role of Keep Florida Beautiful, Inc.; the need to continue
22 those programs; alternative techniques for improving those
23 programs; alternative strategies for meeting the needs of the
24 programs; and any other issues related to resource recovery
25 and management. The department shall consult with persons
26 knowledgeable about recycling and waste reduction, including,
27 but not limited to, representatives of local government, the
28 private recycling industry, and the private waste management
29 industry. The department shall issue its report,
30 recommendations, and proposed legislative changes to the

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1 Governor, the President of the Senate, and the Speaker of the
2 House of Representatives by October 31, 2001.

3 Section 5. This act shall take effect July 1, 2001.
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