

Bill No. SB 266

Amendment No. ____ Barcode 913688

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Dyer moved the following amendment:

Senate Amendment (with title amendment)

On page 3, between lines 25 and 26,

insert:

Section 3. Paragraph (a) of subsection (3) of section 403.70605, Florida Statutes, is amended to read:

403.70605 Solid waste collection services in competition with private companies.--

(3) DISPLACEMENT OF PRIVATE WASTE COMPANIES.--

(a) As used in this subsection, the term "displacement" means a local government's provision of a collection service which prohibits a private company from continuing to provide the same service that it was providing when the decision to displace was made. The term does not include:

1. Competition between the public sector and private companies for individual contracts;

2. Actions by which a local government, at the end of a contract with a private company, refuses to renew the

Bill No. SB 266

Amendment No. ____ Barcode 913688

1 contract and either awards the contract to another private
2 company or decides for any reason to provide the collection
3 service itself;

4 3. Actions taken against a private company because the
5 company has acted in a manner threatening to the public health
6 or safety or resulting in a substantial public nuisance;

7 4. Actions taken against a private company because the
8 company has materially breached its contract with the local
9 government;

10 5. Refusal by a private company to continue operations
11 under the terms and conditions of its existing agreement
12 during the 3-year notice period;

13 6. Entering into a contract with a private company to
14 provide garbage, trash, or refuse collection which contract is
15 not entered into under an ordinance that displaces or
16 authorizes the displacement of another private company
17 providing garbage, trash, or refuse collection;

18 7. Situations in which a majority of the property
19 owners in the displacement area petition the governing body to
20 take over the collection service;

21 8. Situations in which the private companies are
22 licensed or permitted to do business within the local
23 government for a limited time and such license or permit
24 expires and is not renewed by the local government. This
25 subparagraph does not apply to licensing or permitting
26 processes enacted after May 1, 1999, or to occupational
27 licenses; or

28 9. Annexations, but only to the extent that the
29 provisions of s. 171.062(4) apply.

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31 (Redesignate subsequent sections.)

Bill No. SB 266

Amendment No. ____ Barcode 913688

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, line 10, after the semicolon,

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5 insert:

6 amending s. 403.70605, F.S.; clarifying the

7 definition of the term "displacement";

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