

Bill No. SB 666

Amendment No. 1 Barcode 714810

CHAMBER ACTION

Senate

House

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The Committee on Natural Resources recommended the following amendment:

Senate Amendment (with title amendment)

On page 3, line 8, through
page 11, line 29, delete those lines

and insert: with its responsibilities under this chapter. The Clean Florida Commission shall have rulemaking authority. As part of this effort, the Clean Florida Commission ~~Keep Florida Beautiful, Incorporated~~, in cooperation with the Environmental Education Foundation, shall strive to educate citizens, visitors, and businesses about the important relationship between the state's environment and economy. The Clean Florida Commission shall ~~Keep Florida Beautiful, Incorporated, is encouraged to~~ explore and identify economic incentives to improve environmental initiatives in the area of solid waste management.

(2) There is created within the Department of Community Affairs the Clean Florida Commission, which shall coordinate a statewide public awareness and education campaign

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1 involving state agencies, local governments, local
2 organizations, and individuals. The Clean Florida Commission
3 shall consist of the following members:

4 (a) The Secretary of Environmental Protection or the
5 secretary's designee.

6 (b) The Secretary of Transportation or the secretary's
7 designee.

8 (c) The Commissioner of Education or the
9 commissioner's designee.

10 (d) The Commissioner of Agriculture or the
11 commissioner's designee.

12 (e) The Secretary of Community Affairs or the
13 secretary's designee, who shall serve as chairman.

14 (f) Any additional members from interested state
15 agencies, local governments, and state and local organizations
16 who are appointed by unanimous consent of the members listed
17 in paragraphs (a)-(e).

18 (3) The commission has the following powers and
19 duties:

20 (a) To appoint an executive director, who may employ
21 such other administrative and clerical staff as are necessary
22 to carry out the purpose of litter prevention in this state as
23 set forth in this section. Such employment by the commission
24 may be pursuant to contract with a public entity or a private
25 entity.

26 (b) To establish an "Adopt-A-Highway" program to allow
27 volunteers from local organizations to be identified with
28 specific highway cleanup and such organizations shall
29 coordinate such efforts with the Clean Florida Commission.

30 (c) To contract for the development of a highly
31 visible anti-litter campaign that, at a minimum, includes:

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- 1 1. Identifying groups that habitually litter.
- 2 2. Designing appropriate advertising to promote proper
3 disposal of litter by groups that habitually litter.
- 4 3. Fostering public awareness of the litter problem in
5 this state and the litter prevention program.
- 6 4. Developing educational programs and materials for
7 promoting the proper disposal of litter; acting as the state
8 clearinghouse for educational programs and materials
9 developed, distributed, and promoted by state agencies; and
10 coordinating efforts and resources among agencies to ensure
11 minimal duplication of efforts and efficient use of state
12 funds.
- 13 5. Using talent, equipment, or expertise donated by
14 the private sector for producing multimedia materials.
- 15 (d) To make and execute contracts necessary to the
16 exercise of its powers, including interagency agreements.
- 17 (e) To engage in the planning of a litter prevention
18 program.
- 19 (f) To conduct, direct, encourage, coordinate, and
20 organize a continuous program of public education relating to
21 litter prevention.
- 22 (g) To review, upon request, all plans and activities
23 pertinent to reducing litter and littering and to coordinate
24 these activities with the various levels of government, as
25 well as with other local organizations.
- 26 (h) To coordinate with state and local organizations
27 to market programs promoting litter prevention and to
28 facilitate the exchange of such programs between local
29 organizations through annual conferences.
- 30 (i) To make available to elementary and secondary
31 schools and other public forums educational programs and

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1 materials for promoting the proper disposal of litter.

2 (j) To develop and implement statewide incentive
3 programs designed to motivate individual residents of this
4 state, local organizations, local governments, and other
5 groups interested in participating in litter prevention
6 program activities.

7 (k) To provide to local governments and nonprofit
8 organizations grants to be used for implementing and
9 maintaining certified Keep America Beautiful Florida Systems
10 litter prevention programs through education and broadbased
11 public involvement at the community level. Except as
12 specifically appropriated, such a grant may provide up to
13 one-half of the first-year costs of initiating and operating
14 such a program, or \$25,000, whichever is less. Certified Keep
15 America Beautiful Florida Systems are eligible to apply for
16 the funding of local level litter prevention and educational
17 programs and projects, and must receive first priority in the
18 award of such grants.

19 (l) To monitor the effectiveness of the statewide
20 litter prevention campaign annually and to prepare an annual
21 report of operations which includes the results of such
22 monitoring. The commission shall submit the annual report to
23 the Governor, the President of the Senate, and the Speaker of
24 the House of Representatives no later than February 1 of each
25 year, beginning in 2004.

26 (4) The Department of Transportation shall place signs
27 discouraging litter at all off-ramps of the interstate highway
28 system in the state. The department shall place other highway
29 signs as necessary to discourage littering, in accordance with
30 the anti-litter program developed by the commission. The
31 membership of the board of directors of this nonprofit

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1 ~~organization may include representatives of the following~~
2 ~~organizations: the Florida League of Cities, the Florida~~
3 ~~Association of Counties, the Governor's Office, the Florida~~
4 ~~Chapter of the National Solid Waste Management Association,~~
5 ~~the Florida Recyclers Association, the Center for Marine~~
6 ~~Conservation, Chapter of the Sierra Club, the Associated~~
7 ~~Industries of Florida, the Florida Soft Drink Association, the~~
8 ~~Florida Petroleum Council, the Retail Grocers Association of~~
9 ~~Florida, the Florida Retail Federation, the Pulp and Paper~~
10 ~~Association, the Florida Automobile Dealers Association, the~~
11 ~~Beer Industries of Florida, the Florida Beer Wholesalers~~
12 ~~Association, and the Distilled Spirits Wholesalers.~~

13 ~~(2) As a partner working with government, business,~~
14 ~~civic, environmental, and other organizations, Keep Florida~~
15 ~~Beautiful, Incorporated, shall strive to assist the state and~~
16 ~~its local communities by contracting for the development of a~~
17 ~~highly visible antilitter campaign that, at a minimum,~~
18 ~~includes:~~

19 ~~(a) Coordinating with the Center for Marine~~
20 ~~Conservation and the Center for Solid and Hazardous Waste~~
21 ~~Management to identify components of the marine debris and~~
22 ~~litter stream and groups that habitually litter.~~

23 ~~(b) Designing appropriate advertising to promote the~~
24 ~~proper management of solid waste, with emphasis on educating~~
25 ~~groups that habitually litter.~~

26 ~~(c) Fostering public awareness and striving to build~~
27 ~~an environmental ethic in this state through the development~~
28 ~~of educational programs that result in an understanding and in~~
29 ~~action on the part of individuals and organizations about the~~
30 ~~role they must play in preventing litter and protecting~~
31 ~~Florida's environment.~~

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1 ~~(d) Developing educational programs and materials that~~
 2 ~~promote the proper management of solid waste, including the~~
 3 ~~proper disposal of litter.~~

4 ~~(e) Administering grants provided by the state.~~
 5 ~~Grants authorized under this section shall be subject to~~
 6 ~~normal department audit procedures and review.~~

7 ~~(3) The Department of Transportation shall establish~~
 8 ~~an "adopt-a-highway" program to allow local organizations to~~
 9 ~~be identified with specific highway cleanup and highway~~
 10 ~~beautification projects authorized under s. 339.2405 and shall~~
 11 ~~coordinate such efforts with Keep Florida Beautiful, Inc. The~~
 12 ~~department shall report to the Governor and the Legislature on~~
 13 ~~the progress achieved and the savings incurred by the~~
 14 ~~"adopt-a-highway" program. The department shall also monitor~~
 15 ~~and report on compliance with provisions of the~~
 16 ~~adopt-a-highway program to ensure that organizations that~~
 17 ~~participate in the program comply with the goals identified by~~
 18 ~~the department.~~

19 ~~(4) The Department of Transportation shall place signs~~
 20 ~~discouraging litter at all off-ramps of the interstate highway~~
 21 ~~system in the state. The department shall place other highway~~
 22 ~~signs as necessary to discourage littering through use of the~~
 23 ~~antilitter program developed by Keep Florida Beautiful,~~
 24 ~~Incorporated.~~

25 (5) Each county is encouraged to initiate a litter
 26 control and prevention program or to expand upon its existing
 27 program. The Department of Environmental Protection shall
 28 establish a system of grants for municipalities and counties
 29 to implement litter control and prevention programs. In
 30 addition to the activities described in subsection (1), such
 31 grants shall at a minimum be used for litter cleanup,

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1 grassroots educational programs involving litter removal and
2 prevention, and the placement of litter and recycling
3 receptacles. Counties are encouraged to form working public
4 private partnerships as authorized under this section to
5 implement litter control and prevention programs at the
6 community level. The grants authorized pursuant to this
7 section shall be incorporated as part of the recycling and
8 education grants. Counties that have a population under 75,000
9 are encouraged to develop a regional approach to administering
10 and coordinating their litter control and prevention programs.

11 ~~(6) The department may contract with Keep Florida~~
12 ~~Beautiful, Incorporated, to help carry out the provisions of~~
13 ~~this section. All contracts authorized under this section are~~
14 ~~subject to normal department audit procedures and review.~~

15 ~~(6)(7)~~ In order to establish continuity for the
16 statewide program, those local governments and community
17 programs receiving grants for litter prevention and control
18 must use the official State of Florida litter control or
19 campaign symbol adopted by the Clean Florida Commission ~~Keep~~
20 ~~Florida Beautiful, Incorporated~~, for use on various
21 receptacles and program material.

22 ~~(8) The Legislature establishes a litter reduction~~
23 ~~goal of 50 percent reduction from the period January 1, 1994,~~
24 ~~to January 1, 1997. The method of determination used to~~
25 ~~measure the reduction in litter is the survey conducted by the~~
26 ~~Center for Solid and Hazardous Waste Management. The center~~
27 ~~shall consider existing litter survey methodologies.~~

28 ~~(7)(9)~~ The Department of Environmental Protection
29 shall contract with the Center for Solid and Hazardous Waste
30 Management for an ongoing annual litter survey, the first of
31 which is to be conducted by January 1, 1994. The center shall

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1 | appoint a broad-based work group not to exceed seven members
2 | to assist in the development and implementation of the survey.
3 | Representatives from the university system, business,
4 | government, and the environmental community shall be
5 | considered by the center to serve on the work group. Final
6 | authority on implementing and conducting the survey rests with
7 | the center. The first survey is to be designed to serve as a
8 | baseline by measuring the amount of current litter and marine
9 | debris, and is to include a methodology for measuring the
10 | reduction in the amount of litter and marine debris to
11 | determine the progress toward ~~the litter reduction goal~~
12 | ~~established in subsection (8)~~. Annually thereafter, additional
13 | surveys are to be conducted and must also include a
14 | methodology for measuring the reduction in the amount of
15 | litter and for determining progress toward ~~the litter~~
16 | ~~reduction goal established in subsection (8)~~.

17 | ~~(8)(10)~~(a) There is created within the Department of
18 | Agriculture and Consumer Services ~~Keep Florida Beautiful,~~
19 | ~~Inc.~~, the Wildflower Advisory Council, consisting of a maximum
20 | of nine members ~~to direct and oversee the expenditure of the~~
21 | ~~Wildflower Account~~. The Wildflower Advisory Council shall
22 | include a representative from the University of Florida
23 | Institute of Food and Agricultural Sciences, the Florida
24 | Department of Transportation, and the Florida Department of
25 | Environmental Protection, the Florida League of Cities, and
26 | the Florida Association of Counties. Other members of the
27 | committee may include representatives from the Florida
28 | Federation of Garden Clubs, Inc., Think Beauty Foundation, the
29 | Florida Chapter of the American Society of Landscape
30 | Architects, Inc., and a representative of the Master
31 | Gardener's Program.

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1 (b) The Wildflower Advisory Council shall be
 2 controlled and directed by the Department of Agriculture and
 3 Consumer Services and shall serve in an advisory capacity to
 4 the department with respect to the award of ~~develop~~ procedures
 5 of operation, research contracts, educational programs, and
 6 wildflower planting grants for Florida native wildflowers,
 7 plants, and grasses. The council shall also make
 8 recommendations to the department concerning the final
 9 determination of what constitutes acceptable species of
 10 wildflowers and other plantings supported by these programs.

11 Section 2. Paragraphs (a) and (j) of subsection (2) of
 12 section 403.41315, Florida Statutes, are amended to read:

13 403.41315 Comprehensive illegal dumping, litter, and
 14 marine debris control and prevention.--

15 (2) The comprehensive illegal dumping, litter, and
 16 marine debris control and prevention program at a minimum must
 17 include the following:

18 (a) A statewide public awareness and educational
 19 campaign, coordinated by the Clean Florida Commission ~~Keep~~
 20 ~~Florida Beautiful, Incorporated~~, to educate individuals,
 21 government, businesses, and other organizations concerning the
 22 role they must assume in preventing and controlling litter.

23 (j) Other educational programs that are implemented at
 24 the grassroots level coordinated through the Clean Florida
 25 Commission ~~Keep Florida Beautiful, Inc.~~, involving volunteers
 26 and community programs that clean up and prevent litter,
 27 including Youth Conservation Corps activities.

28 Section 3. Subsection (4) of section 403.709, Florida
 29 Statutes, is amended to read:

30 403.709 Solid Waste Management Trust Fund; use of
 31 waste tire fees.--There is created the Solid Waste Management

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1 Trust Fund, to be administered by the department. From the
2 annual revenues deposited in the trust fund, unless otherwise
3 specified in the General Appropriations Act:

4 (4) Up to 4.5 percent shall be used for funding to the
5 Clean Florida Commission ~~Department of Transportation~~ for the
6 coordination, development, and establishment of a statewide
7 public awareness litter prevention and education campaign
8 ~~control programs coordinated by Keep Florida Beautiful, Inc.~~
9 The Clean Florida Commission shall establish a competitive and
10 innovative grant program pursuant to s. 403.4131.

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12

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

14 And the title is amended as follows:

15 On page 1, line 6, after the semicolon,

16

17 insert:

18 providing rulemaking authority;

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