

By the Committee on Environmental Preservation; and Senators Dockery and Villalobos

592-1996-05

1    A bill to be entitled  
 2            An act relating to reuse and recycling;  
 3            creating s. 403.7047, F.S.; prohibiting  
 4            franchises or contracts for exclusive  
 5            collections of construction and demolition  
 6            debris under certain circumstances; creating s.  
 7            403.71853, F.S.; authorizing the Department of  
 8            Environmental Protection to implement a pilot  
 9            project to encourage the reuse or recycling of  
 10           campaign signs; authorizing the use of funds  
 11           from the Solid Waste Management Trust Fund;  
 12           authorizing grants to large and small counties;  
 13           providing for the purpose of the grants;  
 14           providing an effective date.

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

18            Section 1.    Section 403.7047, Florida Statutes, is  
 19 created to read:

20            403.7047 Collection and recycling of construction and  
 21 demolition debris.--

22            (1) It is the intent of this section to increase the  
 23 recycling potential of construction and demolition debris.

24            (2) A local government may not enter into a franchise  
 25 agreement or contract granting exclusive collections for  
 26 construction and demolition debris, either separately from or  
 27 as part of the solid waste stream, if such debris is primarily  
 28 destined for disposal and a qualified materials recovery  
 29 facility is available to the local government as a feasible  
 30 alternative to disposal of the construction and demolition

1 debris. A qualified material recovery facility is a facility  
2 that:  
3 (a) Is located within the county and within a  
4 reasonable distance of the center of the local government;  
5 (b) Is properly permitted by the department to accept  
6 construction and demolition debris;  
7 (c) Operates in compliance with applicable local  
8 ordinances, including those which regulate the disposal of  
9 residual waste from the materials recovery facility;  
10 (d) Uses scales to weigh the materials received by and  
11 transported from the facility;  
12 (e) Agrees to provide documentation to the local  
13 government upon request specifying the amount and type of  
14 materials handled at the facility, the amount of materials  
15 being disposed of, the disposal site location, and the name of  
16 the person with whom such disposal was arranged; and  
17 (f) Recovers, on an annual average, at least 50  
18 percent of the construction and demolition debris received at  
19 the facility.  
20 (3) Nothing in this section shall be construed to  
21 limit a local government's authority to enter into a franchise  
22 agreement or contract for the collection of construction and  
23 demolition debris that is taken to a qualified materials  
24 recovery facility.  
25 (4) Nothing in this section shall be construed to  
26 limit a local government's authority or obligation to honor  
27 any existing franchise agreement or contract for solid waste  
28 management through its current expiration date.  
29 (5) Nothing in this section shall prohibit a local  
30 government from enacting ordinances designed to protect the  
31 public's general health, safety, and welfare.

1           Section 2. Section 403.71853, Florida Statutes, is  
2 created to read:

3           403.71853 Campaign sign reuse and recycling.--The  
4 department may implement a pilot project to encourage the  
5 reuse or recycling of campaign signs. The department may use  
6 funds from the Solid Waste Management Trust Fund to provide a  
7 grant to at least two large counties and at least two small  
8 counties to establish a central depository for used campaign  
9 signs and to make such signs available, at no cost to the  
10 receiving entity, to schools and other entities that may have  
11 a use for them and to companies that can recycle the materials  
12 from which the signs are made into new materials or products.

13           Section 3. This act shall take effect July 1, 2005.

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15           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
16           COMMITTEE SUBSTITUTE FOR  
17           Senate Bill 1906

18 The committee substitute provides that a local government may  
19 not enter into a franchise agreement or contract granting  
20 exclusive collections for construction and demolition (C&D)  
21 debris if such debris is primarily destined for disposal and a  
qualified materials recovery facility is available to the  
local government as a feasible alternative to disposal of the  
C&D debris.

22 Provides that nothing in this committee substitute limits the  
23 local government's authority to enter into a franchise  
24 agreement or contract for the collection of C&D debris that is  
taken to a qualified materials recovery facility.

25 The committee substitute does not limit the local government's  
26 authority or obligation to honor any existing franchise  
27 agreement or contract for solid waste management through its  
current expiration date. Further, a local government is not  
prohibited from enacting ordinances designed to protect the  
public's general health, safety, and welfare.

28 The Department of Environmental Protection is authorized to  
29 implement a pilot project to encourage the reuse or recycling  
30 of campaign signs.  
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