

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representative Needelman offered the following:

2
3 **Amendment to Amendment (895289) (with title amendment)**

4 Remove lines 1168-1408 and insert:

5 Section 12. Section 403.4131, Florida Statutes, is amended
6 to read:

7 403.4131 Litter control ~~"Keep Florida Beautiful,~~
8 ~~Incorporated"; placement of signs.--~~

9 ~~(1) It is the intent of the Legislature that a coordinated~~
10 ~~effort of interested businesses, environmental and civic~~
11 ~~organizations, and state and local agencies of government be~~
12 ~~developed to plan for and assist in implementing solutions to~~
13 ~~the litter and solid waste problems in this state and that the~~
14 ~~state provide financial assistance for the establishment of a~~
15 ~~nonprofit organization with the name of "Keep Florida Beautiful,~~
16 ~~Incorporated," which shall be registered, incorporated, and~~
17 ~~operated in compliance with chapter 617. This nonprofit~~

185745

5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

18 ~~organization shall coordinate the statewide campaign and operate~~
19 ~~as the grassroots arm of the state's effort and shall serve as~~
20 ~~an umbrella organization for volunteer based community programs.~~
21 ~~The organization shall be dedicated to helping Florida and its~~
22 ~~local communities solve solid waste problems, to developing and~~
23 ~~implementing a sustained litter prevention campaign, and to act~~
24 ~~as a working public private partnership in helping to implement~~
25 ~~the state's Solid Waste Management Act. As part of this effort,~~
26 ~~Keep Florida Beautiful, Incorporated, in cooperation with the~~
27 ~~Environmental Education Foundation, shall strive to educate~~
28 ~~citizens, visitors, and businesses about the important~~
29 ~~relationship between the state's environment and economy. Keep~~
30 ~~Florida Beautiful, Incorporated, is encouraged to explore and~~
31 ~~identify economic incentives to improve environmental~~
32 ~~initiatives in the area of solid waste management. The~~
33 ~~membership of the board of directors of this nonprofit~~
34 ~~organization may include representatives of the following~~
35 ~~organizations: the Florida League of Cities, the Florida~~
36 ~~Association of Counties, the Governor's Office, the Florida~~
37 ~~Chapter of the National Solid Waste Management Association, the~~
38 ~~Florida Recyclers Association, the Center for Marine~~
39 ~~Conservation, Chapter of the Sierra Club, the Associated~~
40 ~~Industries of Florida, the Florida Soft Drink Association, the~~
41 ~~Florida Petroleum Council, the Retail Grocers Association of~~
42 ~~Florida, the Florida Retail Federation, the Pulp and Paper~~
43 ~~Association, the Florida Automobile Dealers Association, the~~
44 ~~Beer Industries of Florida, the Florida Beer Wholesalers~~
45 ~~Association, and the Distilled Spirits Wholesalers.~~

185745

5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

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

51 ~~(a) Coordinating with the Center for Marine Conservation~~
52 ~~and the Center for Solid and Hazardous Waste Management to~~
53 ~~identify components of the marine debris and litter stream and~~
54 ~~groups that habitually litter.~~

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

58 ~~(c) Fostering public awareness and striving to build an~~
59 ~~environmental ethic in this state through the development of~~
60 ~~educational programs that result in an understanding and in~~
61 ~~action on the part of individuals and organizations about the~~
62 ~~role they must play in preventing litter and protecting~~
63 ~~Florida's environment.~~

64 ~~(d) Developing educational programs and materials that~~
65 ~~promote the proper management of solid waste, including the~~
66 ~~proper disposal of litter.~~

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

70 (1)~~(3)~~ The Department of Transportation shall establish an
71 "adopt-a-highway" program to allow local organizations to be
72 identified with specific highway cleanup and highway
73 beautification projects authorized under s. 339.2405 ~~and shall~~
74 ~~coordinate such efforts with Keep Florida Beautiful, Inc. The~~
185745

5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

75 department shall report to the Governor and the Legislature on
76 the progress achieved and the savings incurred by the "adopt-a-
77 highway" program. The department shall also monitor and report
78 on compliance with provisions of the adopt-a-highway program to
79 ensure that organizations that participate in the program comply
80 with the goals identified by the department.

81 ~~(2)(4)~~ The Department of Transportation shall place signs
82 discouraging litter at all off-ramps of the interstate highway
83 system in the state. The department shall place other highway
84 signs as necessary to discourage littering ~~through use of the~~
85 ~~antilitter program developed by Keep Florida Beautiful,~~
86 ~~Incorporated.~~

87 ~~(3)(5)~~ Each county is encouraged to initiate a litter
88 control and prevention program or to expand upon its existing
89 program. The department shall establish a system of grants for
90 municipalities and counties to implement litter control and
91 prevention programs. In addition to the activities described in
92 subsection (1), such grants shall at a minimum be used for
93 litter cleanup, grassroots educational programs involving litter
94 removal and prevention, and the placement of litter and
95 recycling receptacles. Counties are encouraged to form working
96 public private partnerships as authorized under this section to
97 implement litter control and prevention programs at the
98 community level. The grants authorized pursuant to this section
99 shall be incorporated as part of the recycling and education
100 grants. Counties that have a population under 100,000 ~~75,000~~ are
101 encouraged to develop a regional approach to administering and
102 coordinating their litter control and prevention programs.

185745

5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

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

107 ~~(7) In order to establish continuity for the statewide~~
108 ~~program, those local governments and community programs~~
109 ~~receiving grants for litter prevention and control must use the~~
110 ~~official State of Florida litter control or campaign symbol~~
111 ~~adopted by Keep Florida Beautiful, Incorporated, for use on~~
112 ~~various receptacles and program material.~~

113 ~~(8) The Legislature establishes a litter reduction goal of~~
114 ~~50 percent reduction from the period January 1, 1994, to January~~
115 ~~1, 1997. The method of determination used to measure the~~
116 ~~reduction in litter is the survey conducted by the Center for~~
117 ~~Solid and Hazardous Waste Management. The center shall consider~~
118 ~~existing litter survey methodologies.~~

119 ~~(9) The Department of Environmental Protection shall~~
120 ~~contract with the Center for Solid and Hazardous Waste~~
121 ~~Management for an ongoing annual litter survey, the first of~~
122 ~~which is to be conducted by January 1, 1994. The center shall~~
123 ~~appoint a broad based work group not to exceed seven members to~~
124 ~~assist in the development and implementation of the survey.~~
125 ~~Representatives from the university system, business,~~
126 ~~government, and the environmental community shall be considered~~
127 ~~by the center to serve on the work group. Final authority on~~
128 ~~implementing and conducting the survey rests with the center.~~
129 ~~The first survey is to be designed to serve as a baseline by~~
130 ~~measuring the amount of current litter and marine debris, and is~~
131 ~~to include a methodology for measuring the reduction in the~~

185745
5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

132 ~~amount of litter and marine debris to determine the progress~~
133 ~~toward the litter reduction goal established in subsection (8).~~
134 ~~Annually thereafter, additional surveys are to be conducted and~~
135 ~~must also include a methodology for measuring the reduction in~~
136 ~~the amount of litter and for determining progress toward the~~
137 ~~litter reduction goal established in subsection (8).~~

138 ~~(10)(a) There is created within Keep Florida Beautiful,~~
139 ~~Inc., the Wildflower Advisory Council, consisting of a maximum~~
140 ~~of nine members to direct and oversee the expenditure of the~~
141 ~~Wildflower Account. The Wildflower Advisory Council shall~~
142 ~~include a representative from the University of Florida~~
143 ~~Institute of Food and Agricultural Sciences, the Florida~~
144 ~~Department of Transportation, and the Florida Department of~~
145 ~~Environmental Protection, the Florida League of Cities, and the~~
146 ~~Florida Association of Counties. Other members of the committee~~
147 ~~may include representatives from the Florida Federation of~~
148 ~~Garden Clubs, Inc., Think Beauty Foundation, the Florida Chapter~~
149 ~~of the American Society of Landscape Architects, Inc., and a~~
150 ~~representative of the Master Gardener's Program.~~

151 ~~(b) The Wildflower Advisory Council shall develop~~
152 ~~procedures of operation, research contracts, educational~~
153 ~~programs, and wildflower planting grants for Florida native~~
154 ~~wildflowers, plants, and grasses. The council shall also make~~
155 ~~the final determination of what constitutes acceptable species~~
156 ~~of wildflowers and other plantings supported by these programs.~~

157 Section 13. Section 403.41315, Florida Statutes, is
158 amended to read:

159 403.41315 Comprehensive illegal dumping, litter, and
160 marine debris control and prevention.--

185745

5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

161 (1) The Legislature finds that a comprehensive illegal
162 dumping, litter, and marine debris control and prevention
163 program is necessary to protect the beauty and the environment
164 of Florida. The Legislature also recognizes that a comprehensive
165 illegal dumping, litter, and marine debris control and
166 prevention program will have a positive effect on the state's
167 economy. The Legislature finds that the state's rapid
168 population growth, the ever-increasing mobility of its
169 population, and the large number of tourists contribute to the
170 need for a comprehensive illegal dumping, litter, and marine
171 debris control and prevention program. The Legislature further
172 finds that the program must be coordinated and capable of having
173 statewide identity and grassroots community support.

174 (2) The comprehensive illegal dumping, litter, and marine
175 debris control and prevention program at a minimum must include
176 the following:

177 (a) A local ~~statewide~~ public awareness and educational
178 campaign, ~~coordinated by Keep Florida Beautiful, Incorporated,~~
179 to educate individuals, government, businesses, and other
180 organizations concerning the role they must assume in preventing
181 and controlling litter.

182 (b) Enforcement provisions authorized under s. 403.413.

183 (c) Enforcement officers whose responsibilities include
184 grassroots education along with enforcing litter and illegal
185 dumping violations.

186 (d) Local illegal dumping, litter, and marine debris
187 control and prevention programs operated at the county level
188 with emphasis placed on grassroots educational programs designed
189 to prevent and remove litter and marine debris.

185745

5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

190 (e) A statewide adopt-a-highway program as authorized
191 under s. 403.4131.

192 (f) The highway beautification program authorized under s.
193 339.2405.

194 (g) A statewide Adopt-a-Shore program that includes beach,
195 river, and lake shorelines and emphasizes litter and marine
196 debris cleanup and prevention.

197 (h) The prohibition of balloon releases as authorized
198 under s. 372.995.

199 (i) The placement of approved identifiable litter and
200 recycling receptacles.

201 (j) Other educational programs that are implemented at the
202 grassroots level ~~coordinated through Keep Florida Beautiful,~~
203 ~~Inc.,~~ involving volunteers and community programs that clean up
204 and prevent litter, including Youth Conservation Corps
205 activities.

206 Section 14. Section 403.4133, Florida Statutes, is amended
207 to read:

208 403.4133 Adopt-a-Shore Program.--

209 (1) The Legislature finds that litter and illegal dumping
210 present a threat to the state's wildlife, environment, and
211 shorelines. The Legislature further finds that public awareness
212 and education will assist in preventing litter from being
213 illegally deposited along the state's shorelines.

214 (2) The Adopt-a-Shore Program shall be created within the
215 Department of Environmental Protection ~~nonprofit organization~~
216 ~~referred to in s. 403.4131(1), named Keep Florida Beautiful,~~
217 ~~Incorporated.~~ The program shall be designed to educate the
218 state's citizens and visitors about the importance of litter

185745

5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

219 prevention and shall include approaches and techniques to remove
220 litter from the state's shorelines.

221 (3) For the purposes of this section, the term "shoreline"
222 includes, but is not limited to, beaches, rivershores, and
223 lakeshores.

224 Section 15. Subsection (28) of section 320.08058, Florida
225 Statutes, is amended to read:

226 320.08058 Specialty license plates.--

227 (28) FLORIDA WILDFLOWER LICENSE PLATES.--

228 (a) The department shall develop a Florida Wildflower
229 license plate as provided in this section. The word "Florida"
230 must appear at the top of the plate, and the words "State
231 Wildflower" and "coreopsis" must appear at the bottom of the
232 plate.

233 (b) The annual use fees shall be distributed to the
234 Wildflower Foundation, Inc., a nonprofit corporation under s.
235 501(c)(3) of the Internal Revenue Code ~~Wildflower Account~~
236 ~~established by Keep Florida Beautiful, Inc., created by s.~~
237 ~~403.4131~~. The proceeds must be used to establish native Florida
238 wildflower research programs, wildflower educational programs,
239 and wildflower grant programs to municipal, county, and
240 community-based groups in this state.

241 1. The Wildflower Foundation, Inc., shall develop
242 procedures of operation, research contracts, education and
243 marketing programs, and wildflower planting grants for Florida
244 native wildflowers, plants, and grasses.

245 2. A maximum of 15 ~~10~~ percent of the proceeds from the
246 sale of such plates may be used for administrative and marketing
247 costs.

185745

5/3/2006 8:54:59 AM

Amendment No. (for drafter's use only)

248 3. In the event the Wildflower Foundation, Inc., ceases to
249 be an active nonprofit corporation under s. 501(c)(3) of the
250 Internal Revenue Code, the proceeds from the annual use fee
251 shall be deposited into the General Inspection Trust Fund
252 created within the Department of Agriculture and Consumer
253 Services. Any funds held by the Wildflower Foundation, Inc.,
254 must be promptly transferred to the General Inspection Trust
255 Fund. The Department of Agriculture and Consumer Services shall
256 use and administer the proceeds from the use fee in the manner
257 specified in this subsection.

258

259

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

261 Remove lines 4551-4564 and insert:

262 requirements for a litter survey; amending s. 403.41315,
263 F.S.; conforming provisions to changes made to the Keep
264 Florida Beautiful, Inc., program; amending s. 403.4133,
265 F.S.; placing the Adopt-a-Shore Program within the
266 Department of Environmental Protection; amending s.
267 320.08058, F.S.; requiring that the proceeds of the fees
268 paid for Wildflower license plates be distributed to
269 Wildflower Foundation, Inc.; requiring the foundation to
270 develop certain procedures and programs; specifying uses
271 of the proceeds; transferring the balance of such proceeds
272 to the Department of Agriculture and Consumer Services
273 under certain circumstances; amending s. 403.703,

185745

5/3/2006 8:54:59 AM