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CHAMBER ACTION

Senate

House

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Floor: 17/AD/3R
4/30/2008 10:50 AM

Senator Saunders moved the following amendment:

Senate Amendment

Between line(s) 5590-5591

insert:

Section 87. Section 403.7032, Florida Statutes, is created to read

403.7032 Recycling.--

(1) The Legislature finds that the failure or inability to economically recover material and energy resources from solid waste results in the unnecessary waste and depletion of our natural resources. As the state continues to grow, so will the potential amount of discarded material that must be treated and disposed of, necessitating the improvement of solid waste collection and disposal. Therefore, the maximum recycling and reuse of such resources are considered high-priority goals of the state.



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18 (2) By the year 2020, the long-term goal for the recycling
19 efforts of state and local governmental entities, private
20 companies and organizations, and the general public is to reduce
21 the amount of recyclable solid waste disposed of in waste
22 management facilities, landfills, or incineration facilities by a
23 statewide average of at least 75 percent. However, any solid
24 waste used for the production of renewable energy shall count
25 toward the long term recycling goal as set forth in this section.

26 (3) The Department of Environmental Protection shall
27 develop a comprehensive recycling program that is designed to
28 achieve the percentage under subsection (2) and submit the
29 program to the President of the Senate and the Speaker of the
30 House of Representatives by January 1, 2010. The program may not
31 be implemented until approved by the Legislature. The program
32 must be developed in coordination with input from state and local
33 entities, private businesses, and the public. Under the program,
34 recyclable materials shall include, but are not limited to,
35 metals, paper, glass, plastic, textile, rubber materials, and
36 mulch. Components of the program shall include, but are not
37 limited to:

38 (a) Programs to identify environmentally preferable
39 purchasing practices to encourage the purchase of recycled,
40 durable, and less toxic goods.

41 (b) Programs to educate students in grades K-12 in the
42 benefits of, and proper techniques for, recycling.

43 (c) Programs for statewide recognition of successful
44 recycling efforts by schools, businesses, public groups, and
45 private citizens.

46 (d) Programs for municipalities and counties to develop and
47 implement efficient recycling efforts to return valuable

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48 materials to productive use, conserve energy, and protect natural
49 resources.

50 (e) Programs by which the department can provide technical
51 assistance to municipalities and counties in support of their
52 recycling efforts.

53 (f) Programs to educate and train the public in proper
54 recycling efforts;

55 (g) Evaluation of how financial assistance can best be
56 provided to municipalities and counties in support of their
57 recycling efforts.

58 (h) Evaluation of why existing waste management and
59 recycling programs in the state have not been better used.

60 Section 88. Section 403.7033, Florida Statutes, is created
61 to read:

62 403.7033 Departmental analysis of particular recyclable
63 materials.--The Legislature finds that prudent regulation of
64 recyclable materials is crucial to the ongoing welfare of
65 Florida's ecology and economy. As such, the Department of
66 Environmental Protection shall undertake an analysis of the need
67 for new or different regulation of auxiliary containers,
68 wrappings, or disposable plastic bags used by consumers to carry
69 products from retail establishments. The analysis shall include
70 input from state and local government agencies, stakeholders,
71 private businesses, and citizens, and shall evaluate the efficacy
72 and necessity of both statewide and local regulation of these
73 materials. To ensure consistent and effective implementation, the
74 department shall submit a report with conclusions and
75 recommendations to the Legislature no later than February 1,
76 2010. Until such time that the Legislature adopts the
77 recommendations of the department, no local government, local



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78 governmental agency, or state government agency may enact any
79 rule, regulation, or ordinance regarding use, disposition, sale,
80 prohibition, restriction, or tax of such auxiliary containers,
81 wrappings, or disposable plastic bags.

82 Section 89. 403.706 Local government solid waste
83 responsibilities.--

84 (2) (a) Each county shall implement a recyclable materials
85 recycling program. Counties and municipalities are encouraged to
86 form cooperative arrangements for implementing recycling
87 programs.

88 (b) Such programs shall be designed to recover a
89 significant portion of at least four of the following materials
90 from the solid waste stream prior to final disposal at a solid
91 waste disposal facility and to offer these materials for
92 recycling: newspaper, aluminum cans, steel cans, glass, plastic
93 bottles, cardboard, office paper, and yard trash. Local
94 governments which operate permitted waste-to-energy facilities
95 may retrieve ferrous and nonferrous metal as a byproduct of
96 combustion.

97 (c) Local governments are encouraged to separate all
98 plastics, metal, and all grades of paper for recycling prior to
99 final disposal and are further encouraged to recycle yard trash
100 and other mechanically treated solid waste into compost available
101 for agricultural and other acceptable uses.

102 (d) By July 1, 2010, each county shall develop and
103 implement a plan to achieve a goal to compost ~~is encouraged to~~
104 ~~consider plans for composting or mulching of~~ organic materials
105 that would otherwise be disposed of in a landfill. The goal shall
106 provide that up to 10 percent and no less than 5 percent of
107 organic material would be composted within the county and the

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108 municipalities within its boundaries. The department may reduce
109 or modify the compost goal if the county demonstrates to the
110 department that achievement of the goal would be impractical
111 given the county's unique demographic, urban density, or
112 inability to separate normally compostable material from the
113 solid waste stream. The composting plan is ~~or mulching plans~~ are
114 encouraged to address partnership with the private sector.

115 (e) Each county is encouraged to consider plans for
116 mulching organic materials that would otherwise be disposed of in
117 a landfill. The mulching plans are encouraged to address
118 partnership with the private sector.

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