



891642

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/11/2016	.	
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Appropriations Subcommittee on General Government (Dean)
recommended the following:

Senate Amendment (with title amendment)

Delete lines 77 - 185
and insert:
otherwise unavailable, to perform or complete the facility
closing or long-term care under this subsection, and the
department has used all such funds from the insurance policy or
alternative form of financial assurance, the department may use
funds from the Solid Waste Management Trust Fund to pay for or
reimburse additional expenses needed for performing or



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11 completing the approved facility closure or long-term care
12 activities.

13 ~~(5)(a) Notwithstanding subsection (1), a solid waste~~
14 ~~landfill closure account is established within the Solid Waste~~
15 ~~Management Trust Fund to provide funding for the closing and~~
16 ~~long-term care of solid waste management facilities. The~~
17 ~~department may use funds from the account to contract with a~~
18 ~~third party for the closing and long-term care of a solid waste~~
19 ~~management facility if:~~

20 ~~1. The facility has or had a department permit to operate~~
21 ~~the facility;~~

22 ~~2. The permittee provided proof of financial assurance for~~
23 ~~closure in the form of an insurance certificate;~~

24 ~~3. The facility is deemed to be abandoned or was ordered to~~
25 ~~close by the department;~~

26 ~~4. Closure is accomplished in substantial accordance with a~~
27 ~~closure plan approved by the department; and~~

28 ~~5. The department has written documentation that the~~
29 ~~insurance company issuing the closure insurance policy will~~
30 ~~provide or reimburse the funds required to complete closing and~~
31 ~~long-term care of the facility.~~

32 ~~(b) The department shall deposit the funds received from~~
33 ~~the insurance company as reimbursement for the costs of closing~~
34 ~~or long-term care of the facility into the solid waste landfill~~
35 ~~closure account.~~

36 ~~(c) This subsection expires July 1, 2016.~~

37 Section 2. Effective upon becoming a law, section 403.7095,
38 Florida Statutes, is amended to read:

39 403.7095 Solid waste management grant program.—



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40 (1) The department shall develop a consolidated grant
41 program for small counties having populations fewer than
42 100,000, with grants to be distributed equally among eligible
43 counties. Programs to be supported with the small-county
44 consolidated grants include those for the purpose of general
45 solid waste management, litter prevention and control, waste
46 tire abatement, and recycling and education programs.

47 ~~(2) The department shall develop a waste tire grant program~~
48 ~~making grants available to all counties. The department shall~~
49 ~~ensure that at least 25 percent of the funding available for~~
50 ~~waste tire grants is distributed equally to each county having a~~
51 ~~population fewer than 100,000. Of the remaining funds~~
52 ~~distributed to counties having a population of 100,000 or~~
53 ~~greater, the department shall distribute those funds on the~~
54 ~~basis of population.~~

55 ~~(3) From the funds made available pursuant to s.~~
56 ~~403.709(1)(c) for the grant program created by this section, the~~
57 ~~following distributions shall be made:~~

58 ~~(a) Up to 50 percent for the program described in~~
59 ~~subsection (1); and~~

60 ~~(b) Up to 50 percent for the program described in~~
61 ~~subsection (2).~~

62 (2)(4) The department may adopt rules necessary to
63 administer this section, including, but not limited to, rules
64 governing timeframes for submitting grant applications, criteria
65 for prioritizing, matching criteria, maximum grant amounts, and
66 allocation of appropriated funds based upon project and
67 applicant size.

68 ~~(5) Notwithstanding any other provision of this section,~~



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69 ~~and for the 2014-2015 fiscal year only, the Department of~~
70 ~~Environmental Protection shall award the sum of \$3 million in~~
71 ~~grants equally to counties having populations of fewer than~~
72 ~~100,000 for waste tire and litter prevention, recycling~~
73 ~~education, and general solid waste programs. This subsection~~
74 ~~expires July 1, 2015.~~

75 Section 3. For the purpose of incorporating the amendments
76 made by this act to section 403.7095, Florida Statutes, in a
77 reference thereto, paragraph (a) of subsection (6) of section
78 403.413, Florida Statutes, is reenacted to read:

79 403.413 Florida Litter Law.—

80 (6) PENALTIES; ENFORCEMENT.—

81 (a) Any person who dumps litter in violation of subsection
82 (4) in an amount not exceeding 15 pounds in weight or 27 cubic
83 feet in volume and not for commercial purposes is guilty of a
84 noncriminal infraction, punishable by a civil penalty of \$100,
85 from which \$50 shall be deposited into the Solid Waste
86 Management Trust Fund to be used for the solid waste management
87 grant program pursuant to s. 403.7095. In addition, the court
88 may require the violator to pick up litter or perform other
89 labor commensurate with the offense committed.

90 Section 4. For the purpose of incorporating the amendments
91 made by this act to section 403.7095, Florida Statutes, in a
92 reference thereto, paragraph (h) of subsection (5) of section
93 403.7032, Florida Statutes, is reenacted to read:

94 403.7032 Recycling.—

95 (5) The Department of Environmental Protection shall create
96 the Recycling Business Assistance Center by December 1, 2010. In
97 carrying out its duties under this subsection, the department



98 shall consult with state agency personnel appointed to serve as
99 economic development liaisons under s. 288.021 and seek
100 technical assistance from Enterprise Florida, Inc., to ensure
101 the Recycling Business Assistance Center is positioned to
102 succeed. The purpose of the center shall be to serve as the
103 mechanism for coordination among state agencies and the private
104 sector in order to coordinate policy and overall strategic
105 planning for developing new markets and expanding and enhancing
106 existing markets for recyclable materials in this state, other
107 states, and foreign countries. The duties of the center must
108 include, at a minimum:

109 (h) Providing evaluation of solid waste management grants,
110 pursuant to s. 403.7095, to reduce the flow of solid waste to
111 disposal facilities and encourage the sustainable recovery of
112 materials from Florida's waste stream.

113 Section 5. Except as otherwise expressly provided in this
114 act, this act shall take effect July 1, 2016.

115
116 ===== T I T L E A M E N D M E N T =====

117 And the title is amended as follows:

118 Delete lines 13 - 28

119 and insert:

120 the department to deposit certain funds into the solid
121 waste landfill closure account; authorizing the
122 department to use funds from the Solid Waste
123 Management Trust Fund to pay for or reimburse
124 specified expenses under certain circumstances;
125 deleting a solid waste landfill closure account within
126 the Solid Waste Management Trust Fund; amending s.



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127 403.7095, F.S.; authorizing waste tire abatement
128 programs under the small county consolidated grant
129 program; removing the waste tire abatement program
130 supported by the solid waste management grant program;
131 removing distribution requirements; deleting an
132 obsolete provision; reenacting ss. 403.413(6)(a) and
133 403.7032(5)(h), F.S., relating to the Florida Litter
134 Law and recycling, respectively, to incorporate the
135 amendments made to s. 403.7095, F.S., in references
136 thereto; providing effective dates.