

HB 1015

2004

1 A bill to be entitled
 2 An act relating to local government solid waste fees;
 3 amending s. 403.706, F.S.; waiving such fees for certain
 4 nonprofit organizations; providing an effective date.

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

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 8 Section 1. Subsections (10) and (17) of section 403.706,
 9 Florida Statutes, are amended to read:

10 403.706 Local government solid waste responsibilities.--

11 (10) In developing and implementing recycling programs,
 12 counties and municipalities shall give consideration to the
 13 collection, marketing, and disposition of recyclable materials
 14 by persons engaged in the business of recycling, whether or not
 15 the persons are operating for profit. Counties and
 16 municipalities are encouraged to use for-profit and nonprofit
 17 organizations in fulfilling their responsibilities under this
 18 act. Counties and municipalities shall grant solid waste fee
 19 waivers to nonprofit organizations that collect donated goods
 20 for charitable purposes and that have a recycling or reuse rate
 21 of 50 percent or greater.

22 (17) To effect the purposes of this part, counties and
 23 municipalities are authorized, in addition to other powers
 24 granted pursuant to this part:

25 (a) To contract with persons to provide resource recovery
 26 services or operate resource recovery facilities on behalf of
 27 the county or municipality.

28 (b) To indemnify persons providing resource recovery
 29 services or operating resource recovery facilities for

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30 liabilities or claims arising out of the provision or operation
31 of such services or facilities that are not the result of the
32 sole negligence of the persons providing such services or
33 operating such facilities.

34 (c) To waive sovereign immunity and immunity from suit in
35 federal court by vote of the governing body of the county or
36 municipality to the extent necessary to carry out the authority
37 granted in paragraphs (a) and (b), notwithstanding the
38 limitations prescribed in s. 768.28.

39 ~~(d) To grant a solid waste fee waiver to nonprofit~~
40 ~~organizations that are engaged in the collection of donated~~
41 ~~goods for charitable purposes and that have a recycling or reuse~~
42 ~~rate of 50 percent or better.~~

43 Section 2. This act shall take effect July 1, 2004.