

PCBENRC 07-05

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A bill to be entitled

An act relating to the Florida Climate Action Partnership;  
 creating the Florida Climate Action Partnership; providing  
 purposes and duties; directing the partnership to develop  
 policy recommendations and a climate mitigation action  
 plan; providing criteria for the recommendations and plan;  
 providing for partnership membership; providing for per  
 diem and travel expenses; providing for meetings;  
 providing for staff to assist the partnership; requiring  
 that recommendations and a final report be submitted to  
 the Governor and the Legislature by certain dates;  
 specifying criteria for the report; providing for  
 expiration of the partnership; providing an effective  
 date.

WHEREAS, carbon dioxide produced by the burning of fossil  
 fuels is a leading contributor to global warming and is the  
 leading global warming pollutant released in the United States,  
 and

WHEREAS, the potential effects of global climate change in  
 Florida and the Southeastern United States, such as more frequent  
 and severe storm events and flooding, sea level rise, water  
 supply disruption, agricultural crop yield changes and forest  
 productivity shifts, water and air quality degradation, and  
 threats to coastal areas, tourism, and infrastructure, could  
 significantly impact the state's economy, level of public  
 expenditures, and quality of life, and

WHEREAS, this state is particularly vulnerable to the  
 possible effects of global climate change due to the low

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30 elevation of its 1,300 miles of coastline, susceptibility to more  
 31 intense hurricanes, the effect of drought conditions on the  
 32 state's unique environment, and the spread of infectious disease  
 33 to vulnerable populations, and

34 WHEREAS, the Century Commission for a Sustainable Florida  
 35 released its first annual report to the Governor and the  
 36 Legislature and prominently stated, "There may be no more  
 37 pressing issue in our state than the impact of our country's  
 38 current level of use of fossil fuels on the state and global  
 39 environment. The relationship between our energy sources and our  
 40 security, economy and environment demand a bold vision. Of all  
 41 the states, Florida has the most at stake--and must take a  
 42 leadership role," and

43 WHEREAS, the Legislature adopted a number of clean energy  
 44 initiatives in 2006, including Senate Bill 888, which established  
 45 the Florida Energy Commission for the purposes of encouraging  
 46 energy conservation and efficiency, developing renewable energy  
 47 sources, and recommending a comprehensive state climate action  
 48 plan, and

49 WHEREAS, actions that make homes and workplaces more energy  
 50 efficient enhance energy security and affordability, may reduce  
 51 emissions of greenhouse gases, spur greater resource productivity  
 52 and business innovation, provide cost savings, improve air  
 53 quality and public health, and enhance economic development, job  
 54 creation, and quality of life, and

55 WHEREAS, the President of the United States has called for a  
 56 reduction in the use of fossil fuels and has asked the United  
 57 States Congress to enact a mandatory fuel reduction and renewable  
 58 fuel use expansion requirement, and

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59 WHEREAS, the state is almost totally dependent on energy  
60 imports from out of state to satisfy its energy needs, and

61 WHEREAS, as a major agricultural producer, the state is  
62 capable of producing large quantities of biofuels in order to  
63 help meet the President's goal of replacing fossil fuels with  
64 ethanol-based alternative fuels but currently lacks the  
65 infrastructure to convert to that system, and

66 WHEREAS, legislation has been filed in the United States  
67 Congress that seeks to address the issue of climate change and  
68 global warming through a series of initiatives and changes to the  
69 laws of the United States, including a limit on the amount of  
70 greenhouse gases emitted into the atmosphere, and

71 WHEREAS, the state seeks to develop market-based and other  
72 economically sound emissions reductions approaches, such as a  
73 cap-and-trade system, that create private-sector opportunities  
74 and incentives, and

75 WHEREAS, a deliberative stakeholder process to address  
76 solutions to climate change risks may enable the state to have  
77 greater influence in eventual climate change policy  
78 determinations at the regional and national levels and ensure  
79 that businesses in the state are in the best position to benefit  
80 from possible future federal climate change policy actions, NOW,  
81 THEREFORE,

82

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

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85 Section 1. Florida Climate Action Partnership.--

86 (1) PURPOSE.--There is created the Florida Climate Action  
87 Partnership (FCAP) to serve as a catalyst for a cooperative

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88 dialogue related to efforts needed within our state to comply  
 89 with proposed federal limits to lower carbon emissions in the  
 90 atmosphere over time. The partnership shall seek partners in  
 91 Florida's communities, businesses, academic institutions, and  
 92 governments to participate in this effort. As part of this  
 93 process, the partnership shall take advantage of economic  
 94 opportunities for the state in the effort to find new sources of  
 95 energy, identify and create incentives for technology innovation,  
 96 and seek private-sector solutions and market-based mechanisms to  
 97 help solve problems related to reducing carbon emissions. The  
 98 partnership shall identify a range of opportunities to reduce  
 99 carbon emissions in all sectors of the state's economy, including  
 100 the trading of carbon emission credits and the creation of  
 101 offsets for energy savings.

102 (2) MEMBERSHIP.--

103 (a) The Florida Climate Action Partnership shall be  
 104 composed of 25 members as follows:

- 105 1. The Governor or his or her designee, who shall serve as  
 106 the chair.
- 107 2. The President of the Senate or his or her designee.
- 108 3. The Speaker of the House of Representatives or his or  
 109 her designee.
- 110 4. The Commissioner of Agriculture or his or her designee.
- 111 5. The Chief Financial Officer or his or her designee.
- 112 6. Eight members appointed by the Governor.
- 113 7. Five members appointed by the President of the Senate.
- 114 8. Five members appointed by the Speaker of the House of  
 115 Representatives.
- 116 9. Two members appointed by the Commissioner of

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117 Agriculture.

118 (b) Members appointed to the partnership must hold  
 119 positions of leadership within their respective fields.

120 (c) Members of the partnership shall serve without  
 121 compensation, but the Executive Office of the Governor and the  
 122 Legislature shall reimburse the expenses of their respective  
 123 representatives, and all other members are entitled to receive  
 124 reimbursement for per diem and travel expenses from partnership  
 125 funding in accordance with s. 112.061, Florida Statutes.

126 (3) MEETINGS.--The partnership shall hold a minimum of four  
 127 public meetings in locations throughout the state to be  
 128 determined by the chair for the purpose of taking public  
 129 testimony and seeking input from interested parties.

130 (4) ACTION PLAN.--The partnership shall develop a climate  
 131 mitigation action plan that includes policy recommendations for  
 132 all economic sectors within the state as well as recommendations  
 133 for meeting short-term and long-term greenhouse gas reduction  
 134 goals. The plan shall be fact-based and developed through a  
 135 statewide consensus-based stakeholder process. In developing  
 136 recommendations, the partnership shall consider the results of a  
 137 statewide inventory and forecast of energy use and greenhouse gas  
 138 emissions for each sector from all sources. The partnership shall  
 139 develop policy recommendations that address, but are not limited  
 140 to:

141 (a) Clean, low-emission, and renewable energy supplies,  
 142 including advanced energy and power-generation technologies.

143 (b) Energy efficiency and conservation for buildings,  
 144 equipment, appliances, and other building design elements.

145 (c) Increased energy efficiency in transportation systems

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146 and land use within the growth management system that decreases  
 147 travel and energy use.

148 (d) Agriculture and forestry conservation that promotes  
 149 carbon sequestration and bioenergy.

150 (e) Waste management, waste energy recovery, and waste  
 151 energy recycling.

152 (f) The management of high-global-warming-potential  
 153 refrigerants and alternatives to such refrigerants and the  
 154 identification and sequestration of high-global-warming-potential  
 155 gases in industrial processes.

156 (g) Limiting the amount of carbon emitted into the  
 157 atmosphere in order to reduce the buildup of greenhouse gases  
 158 that produce climate change.

159 (h) The use of market mechanisms, including a cap-and-trade  
 160 system, and other means to reduce the buildup of greenhouse  
 161 gases.

162 (i) Responding to climate change in ways that positively  
 163 affect the price and availability of property and casualty  
 164 insurance.

165 (5) STAFF.--The partnership shall be staffed by the  
 166 Executive Office of the Governor.

167 (6) RECOMMENDATIONS AND REPORT.--The partnership shall  
 168 provide a list of policy recommendations to the Governor and the  
 169 members of the Senate and the House of Representatives by  
 170 February 1, 2008, for consideration during the 2008 Regular  
 171 Session. The partnership shall submit a final report containing a  
 172 climate mitigation action plan to the Governor and the members of  
 173 the Senate and the House of Representatives by October 1, 2008.

174 (7) EXPIRATION.--Unless renewed by the Legislature, the

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175 partnership shall expire on December 31, 2008.

176 Section 2. This act shall take effect upon becoming a law.