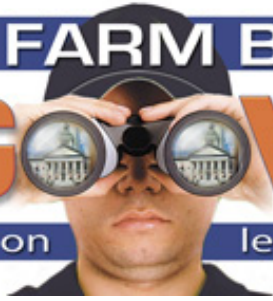


AG WATCH

A weekly update on legislative issues affecting Florida's farmers



January 13, 2012

Week One

Several bills important to agriculture have been passed out of committees in the opening week of the session:

•**Premises Liability - HB 313 by Rep. Leonard Bembry:** was passed out of the House Civil Justice Subcommittee. This bill provides that an owner of a property who enters into written agreement with the state for an area to be used for outdoor recreational purposes is entitled to certain limitations on liability. Its companion bill is SB 802 by the Senate Environmental Preservation and Conservation Committee and remains in that committee currently.

•**Water Management Districts - SB 560 by Sen. Charlie Dean and HB 157 by Rep. Elizabeth Porter:** was passed out of the Senate Governmental Oversight and Accountability Committee and the House Agriculture and Natural Resources Subcommittee, respectively. This legislation requires water management districts to apply specified water reservations and minimum flows and levels in determining certain effects of proposed consumptive uses of water.

•**Sales Tax Exemption Expansion - HB 821 by Rep. Ben Albritton:** was passed out of the House Agriculture and Natural Resources Subcommittee. This bill expands the current sales tax exemption for electricity to include off-farm packinghouses. Its companion bill, SB 592 by Sen. Gary Siplin, is in the Senate Budget Subcommittee on Finance and Tax.

•**Limited Agricultural Associations - SB 222 by Sen. Gary Siplin and HB 827 by Rep. Elizabeth Porter:** was passed out of the Senate Commerce and Tourism Committee and the House Agriculture and Natural Resources Subcommittee, respectively. This legislation gives Limited Agricultural Associations (LAAs) the option to convert to Florida not-for-profit corporations.

•**Septic Tanks - SB 820 by Sen. Charlie Dean:** was passed out of the Senate Environmental Preservation and Conservation Committee. This legislation repeals a statutory mandate for septic tank inspections. Its companion bill, HB 79 by Rep. Marti Coley, is in the House Agriculture and Natural Resources Subcommittee.

•**Theft of Metals - SB 540 by Sen. Chris Smith:** was passed out of the Senate Commerce and Tourism Committee. This bill creates new offenses and increases penalties for metal theft, calls for stricter requirements relating to identification regarding the sale of scrap metal and requires more transparent record-keeping. Its companion bill, HB 885 by Rep. Clay Ford, is in the House Business and Consumer Affairs Subcommittee.

•**Agriculture Industry Bill - HB 1021 by Rep. Ben Albritton:** was passed out of the House Agriculture and Natural Resources Subcommittee. This bill addresses several issues.

It prevents unauthorized people from taking photographs, or making audio or video recordings on a farm.

It amends the storm water preemption in the Ag Lands Practices Act from "only counties" to "all local governments."

It allows citrus harvesters to use off-road diesel while traveling in-between groves and exempts them from needing state issued tags.

It gives the Department of Agriculture and Consumer Services (DACS) the exclusive authority over the sale and use of commercial feed and feed stuffs.

Its companion bill, SB 1184 by Sen. Jim Norman, is in the Senate Agriculture Committee.

Other bills of interest the legislature will address in the coming weeks include the following:

•**State Preemption/Apiculture – SB 1132 by Sen. Alan Hays and HB 1197 by Rep. Mike Horner:** Gives DACS exclusive authority to regulate beekeeping, apiaries and their locations.

•**Trespassing - HB 77 by Rep. Daniel Davis and SB 132 by Sen. John Thrasher:** Authorizes use of purple paint marks to identify “no trespassing” area.

•**Energy - SB 238 by Sen. Greg Evers and HB 4013 by Rep. Matt Gaetz:** Repeals the requirement that all gasoline offered for sale in Florida include a percentage of ethanol.

•**Fertilizer - HB 421 by Rep. Jimmie Smith and SB 604 by Sen. Charlie Dean:** Provides that persons who have obtained the limited certification for urban landscape commercial fertilizer application are required to follow best management practices, and that they are exempt from local government ordinances that address the fertilization of urban turfs, lawns and landscapes. The legislation also requires DACS to provide to local and state governmental agencies information concerning the status of persons who have obtained certification.

•**Land Application of Septage - HB 115 by Rep. Brad Drake and SB 558 by Sen. Alan Hays:** Terminates future imposition of prohibition of land application of septage from onsite sewage treatment and disposal systems.

•**Agritourism - SB 1496 by Sen. Greg Evers and HB 1251 by Rep. Clay Ford:** Prohibits local governments from restricting, regulating or otherwise limiting agritourism activities.

Farm Bureau Day

Please mark your calendars for Farm Bureau’s annual legislative days in Tallahassee. The briefing dinner will be held Monday, Jan. 30, at the Antique Car Museum (6800 Mahan Drive 32308) beginning at 6:30 p.m. **RSVPs are required.** Admission is \$15 and is payable at the door.

The legislative reception will be held Tuesday, Jan. 31, at the Tallahassee/Leon County Civic Center

from 5:30 – 8:00 p.m. Admission is \$20. Attendees will receive a wristband when they pay at the door; wristbands must be worn throughout the event. No advance ticket sales will be available. RSVPs are not required for the reception.

4-H will hold their annual silent auction in conjunction with the reception. A live auction will begin at 7:30 p.m. as well.

Please call Christine Scovotto (850/222-2557) to RSVP or reserve exhibit space at the reception.

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