

April 15, 2011

Week 6

Immigration once again took the spotlight in the Florida Legislature this week. The Senate Budget Committee was slated to hear SB 2040, but the hearing was delayed until after the Senate's Easter break so that negotiations on the bill may continue.

Currently SB 2040 by Sen. Anitere Flores, R-Miami, offers employers a choice between using E-Verify or accepting scannable Real ID documents as proof of authorization. There have been movements to make the use of E-Verify mandatory on one side; on the other, issues have been raised about the costs and reliability of the scanners.

In the House, HB 7089 by Rep. William Snyder passed out of the House Economic Affairs Committee after an emotionally charged hearing on Thursday. HB 7089 contains language mandating the use of E-Verify.

Those voting in favor of HB 7089 were Reps. Dorothy Hukill (Committee Chair), Doug Holder, Esteban Bovo, Jim Boyd, Chris Dorworth, Brad Drake, Peter Nehr, Bryan Nelson, Ken Roberson, Ritch Workman and Joseph Abruzzo.

Those voting against the bill were Reps. Frank Artiles, Jeanette Nuñez, Geraldine Thompson, Evan Jenne, Steve Perman, Irv Slosberg and Jim Waldman.

FFBF thanks all those who voted against this very bad bill.

FFBF opposes making the E-Verify process manda-

tory. Without an adequate, functional guest-worker program, agriculture would be deprived of a significant portion of its workforce. Without sufficient workers to plant and harvest crops, the second largest industry in Florida would struggle to survive.

On average, small businesses pay over \$100 per new hire to comply with the E-Verify process, a process that is not always accurate and does not account for fraud. With our state's unemployment rate still one of the highest in the nation, Florida's legislative leaders should look for alternatives to adding new costly mandates that discourage legal job creation.

Both bills also feature provisions relating to enforcement of immigration laws. FFBF's interest is in those issues relating to mandates and regulations affecting employers and hiring practices.

FFBF thanks our many members who contacted their senators and representatives about these bills this week. Legislators are facing intense pressure from both opponents and proponents on this issue. It is vital that the Voice of Agriculture be heard in the ongoing debates.

Budget

On Wednesday, Senate Budget Committee Chair J.D. Alexander, R-Winter Haven, announced that the House and Senate would not begin budget conferences until after the Easter break.

Also on Wednesday, House Speaker Dean Cannon, R-Orlando, sent out a memo to House members advising them not to make any firm commitments for the time immediately following the scheduled end of session.

As they created their individual budget proposals, the two chambers took differing philosophies in their approaches to the more than \$3 billion shortfall they face. Apparently those differences are not easily resolved.

The announcement of a delayed start to conferencing, coupled with Cannon's memo, sparked speculation that session will not end on May 6 as planned.

However, it should be noted that every year rumors of extended or special sessions routinely float down the halls of the Capitol. In earlier weeks conjecture had it that the House and Senate would wrap up negotiations early, thereby procedurally shortening the time Gov. Rick Scott would have to sign the budget and curtailing the extent of the damage done by his veto pen.

Other issues of note to the agricultural industry that saw movement this week are outlined below:

Numeric Nutrient Criteria

HB 239 by Rep. Trudi Williams, R-Ft. Myers; SB 1090 by Sen. Charlie Dean, R-Inverness: This legislation prohibits the implementation of rules regarding certain federal numeric nutrient water quality criteria by the Florida Department of Environmental Protection.

This week HB 239 was voted out by the House State Affairs Committee. SB 1090 was slated for the Senate Environmental Preservation and Conservation Committee meeting on Thursday, but time ran out before it could be heard. FFBF supports.

HB 239 – House Floor
SB 1090 – Senate Environmental Preservation and Conservation Committee

Wetlands/Ag Exemption

HB 421 by Rep. Leonard Bembry, D-Madison; SB 1174 by Sen. Gary Siplin, D-Orlando:

This legislation authorizes the Florida Department of Agriculture and Consumer Services to determine whether an activity is a bona fide agricultural best management practice.

This week HB 421 passed out of the House State Affairs Committee. FFBF supports.

HB 421 – House Floor
SB 1174 – Senate Budget Committee

Property Rights

HB 701 by Rep. Eric Eisnaugle, R-Orlando; SB 998 by Sen. David Simmons, R-Altamonte Springs: This legislation amends the Bert Harris, Jr., Private Property Rights Act. Provisions of the bills would have the following effects:

- Allows landowners to bring a claim against a government entity based on when the law was applied, not when it was enacted;
- Provides that a moratorium on a development that is in effect for longer than one year is not a temporary impact to real property and may constitute an inordinate burden;
- Changes the notification period from 180 days to 120 days;
- Replaces the term “ripeness” with language specifying when the prerequisites for judicial review are met; and
- Waives sovereign immunity for purposes of the act.

SB 998 passed out of the Senate Budget Committee unanimously on Wednesday. FFBF supports.

HB 701 – House Floor
SB 998 – Senate Floor

Septic Tank Inspections

HB 13 by Rep. Marti Coley, R-Marianna; SB 1698 by Sen. Charlie Dean, R-Inverness: This

legislation eliminates the septic tank inspections and associated fees created by SB 550 last year. On Monday, SB 1698 passed out of the Senate Community Affairs Committee. FFBF supports.

HB 13 – House Floor
SB 1698 – Senate Community Affairs Committee

Next Week

In honor of the religious observances next week, the Senate will not be meeting. The House will only meet Wednesday and Thursday. As such, unless there is late-breaking news of significance to the agricultural industry, *AGWATCH* will not be published next week.

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