

AG WATCH

A weekly update on

legislative issues affecting Florida's farmers



March 25, 2011

Week 3

On Monday evening, March 21, more than 250 Farm Bureau members from across the state attended our traditional legislative briefing dinner at the Tallahassee Automobile Museum.

After enjoying a dinner prepared by Florida Farm Bureau staff, they were briefed on priority issues by House Agriculture and Natural Resources Committee Chair Rep. Steve Crisafulli, R-Merritt Island, Florida Commissioner of Agriculture and Consumer Services Adam Putnam, Mary Ann Gosa of the University of Florida's Institute of Food and Agricultural Research (IFAS) and Ben Parks, Farm Bureau's state legislative affairs director.

On Tuesday, the Women's and YF&R Committees joined other Farm Bureau members as they hit the capitol to meet with their legislators on issues affecting agricultural operations in their districts.

Almost 900 people attended the legislative reception Tuesday evening at the Tallahassee/Leon County Civic Center. Special guests included Gov. Rick Scott, Commissioner of Agriculture Adam Putnam and Chief Financial Officer Jeff Atwater, as well as 32 legislators.

Florida 4-H played a special part in this year's reception. Not only did 4-H members host both silent and live auctions as a fundraiser for their program, but they also presented Farm Bureau's Pat Cockrell with a Lifetime Achievement Award. After a congratulatory speech by Commissioner Putnam, FFBF President John Hoblick accepted the award on Cockrell's behalf.

Farm Bureau thanks our sponsors, exhibitors and members for making Farm Bureau Day 2011 a big success.

The following highlights identify several issues important to our industry that were addressed this week:

Veto Override

The highlight of this week's legislative action was the veto override of last year's general ag bill, HB 7103. This bill contains several issues important to Florida agriculture, such as the reductions of permits, fees and duplicative regulations.

The House took up the bill on the floor Thursday afternoon. After a unanimous vote to override the veto in that chamber, the bill was sent to the Senate. The Senate also voted for an override. The provisions in the bill become effective immediately.

Wetlands—Ag Exemption

SB 1174 by Sen. Gary Siplin, D-Orlando, and HB 421 by Rep. Leonard Bembry, D-Madison, clarify aspects of the agricultural exemption from wetland regulation contained in Chapter 373, Florida Statutes.

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

SB 1174 passed the Senate Agriculture Committee on Monday, March 21. It will now go to the Senate Environmental Preservation Committee. FFBF supports. HB 421 is in the House Agriculture and Natural Resources Subcommittee. FFBF supports.

Farm Photography

SB 1248 by Sen. Jim Norman, R-Tampa, would prevent extremist groups such as People for the Ethical Treatment of Animals or the Humane Society of the U.S. from entering a farm property and producing audio or video records of legal agricultural operations without written consent.

Violations would be a first degree misdemeanor. Problems have arisen nationally in which unauthorized photographs, videos or audios have been manipulated to further the groups' causes.

Fortunately, Florida does not have any active cases dealing with these types of extremists. This legislation is seen as a preventive measure.

SB 1248 passed the Senate Agriculture Committee on Monday. It will next be heard in the Senate Criminal Justice Committee. SB 1248 does not have a companion bill in the House.

There have been issues surrounding unintended consequences of this bill, such as prohibiting photography without malicious intent. As such, FFBF will continue monitoring the language to make sure the bill accomplishes its intended objective.

Fertilizer

HB 457 by Rep. Clay Ingram, R-Pensacola, and SB 606 by Sen. Greg Evers, R-Milton, grants FDACS the exclusive authority to regulate fertilizer, including its sale, composition, formulation, packaging, use, application and distribution.

It also authorizes counties and municipalities to adopt and enforce the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes or an equivalent requirement as a mechanism for protecting local surface and groundwater quality.

It should be noted that this legislation does not limit the authority of the Florida Department of Environmental Protection or water management districts to require practices needed to comply with water quality standards or to implement federal programs.

HB 457 narrowly passed the House Community and Military Affairs Subcommittee on Wednesday. It will next be heard in the Rules and Regulation Subcommittee. SB 606 is in the Senate Community Affairs Committee. FFBF supports.

Property Rights

HB 701 by Rep. Eric Eisnagle, R-Orlando, and SB 998 by Sen. David Simmons, R-Altamonte Springs, amends the Bert Harris, Jr. Private Property Rights Act with the following provisions:

- Allows landowners to bring a claim against a government entity based on when the law was applied, not when it was enacted;
- Specifies 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.

HB 701 passed the House Community and Military Affairs Subcommittee on Wednesday. It will next be heard in the Judiciary Subcommittee. SB 998 will be heard in the Senate Judiciary Committee on March 28. FFBF supports.

FFBF STATE LEGISLATIVE OFFICE

Ben Parks, Director
 Lee Ann Fisch, Associate Director
 Chris Scovotto, Legislative Assistant
 Phone 850/222-2557 / Fax 850/222-9927
 E-mail: BGParks@hotmail.com, LeeAnn.Fisch@ffbf.org
 and Christine.Scovotto@ffbf.org