



2019 Legislative Wrap Up

Provided by Jim Spratt, Magnolia Strategies LLC

Bills That Passed

Sales Taxes – *HB 7123 by Rep. Bryan Avila; SB 1412 by Sen. Joe Gruters*

The legislation became the omnibus tax package, which included a few provisions to offer some relief for agricultural producers impacted by Hurricane Michael. Specifically, this legislation provides sales-tax exemptions for materials purchased to replace or repair farm fences and non-residential farm buildings. In addition, the bill also extends a sales tax rebate for fuel used to transport agricultural products following the storm. In order to receive the exemption/rebate producers will need to file an affidavit with the Florida Department of Revenue. The exemption will apply to purchases from October 10, 2018 thru June 30, 2019.

The Association strongly encourages all members impacted by Hurricane Michael who are interested in the sales tax exemption to hold onto receipts; once the forms are available from the Department of Revenue, we will send them out to the membership.

State Hemp Program - *SB 1020 by Sen. Rob Bradley*

Following the 2017 Farm Bill, there has been a growing interest and investment into the production of hemp as an agricultural commodity. It has been over 70 years since hemp, which is in the same family as marijuana, has been grown for commercial uses. SB 1020, a priority for Commissioner of Agriculture and Consumer Services Nikki Fried, directs the Department of Agriculture and Consumer Services to promulgate rules governing the growth and production of hemp.

Expectations are that the Department will move rather quickly through the summer to get rules adopted in hopes that Florida producers interested in the new crop can begin planting before the end of the 2019 calendar year.

Ballot Measures - *HB 5 by Rep. Nick DiCeglie; SB 336 by Sen. Jeff Brandes*

Among other provisions, this legislation places additional requirements on citizens groups seeking to place an amendment on the general election ballot. It defines “petition circulator” and requires those individuals gathering voter signatures to register with the State. It prohibits compensating petition circulators by the signatures they obtain and lastly, it requires any ballot measures to include specific language noting the initiative’s effect on the state and estimated impact on the economy.

Department of Environmental Protection – *HB 5401 by Rep. Holly Raschein*

This legislation recreates the Division of Law Enforcement within the Department of Environmental Protection (DEP) to investigate and enforce environmental violations. It also transfers law enforcement duties for environmental crimes from the Florida Fish and Wildlife Conservation Commission to DEP.

Transportation - *SB 7068 by Sen. Tom Lee*

This legislation creates the Multi-use Corridors of Regional Economic Significance Program within the Florida Department of Transportation (FDOT). It directs FDOT to construct tolled regional transportation corridors to provide connectivity and revitalize rural communities; it identifies corridors connecting Collier and Polk Counties and Citrus and Jefferson Counties, to be completed by the end of 2030.

Texting While Driving – HB 107 by Rep. Emily Slosberg; SB 76 by Sen. Wilton Simpson

This legislation changes current enforcement of the ban on texting while driving from a secondary offense to a primary offense, which will allow a law enforcement officer to stop a vehicle solely for texting while driving (effective July 1, 2019).

It also authorizes enforcement of a ban on the use of handheld wireless communications devices while operating a motor vehicle in a designated school crossing, school zone, or active work zone area as a primary offense punishable as a moving violation. The bill provides for enforcement only by a warning from October 1, 2019, through December 31, 2019, after which a person may be issued a citation.

Bills That Failed

Florida Building Code

As filed, this bill quickly became a priority issue for the Association to oppose. The bill would have updated the Florida Building code to require that the entire envelope of a building be constructed or rebuilt to be impact resistant using only materials that are “non-combustible” and have high-wind resistant and “non-combustible” materials. This legislation never received a committee hearing in either chamber.

E-Verify

This proposed legislation would have required employers to use the federal E-Verify system to verify employment eligibility, which can be an expensive and time consuming endeavor. The Association believes immigration reform is a national issue and should be dealt with at the federal level, rather than on a state-by-state basis.

Water Quality Improvements

An omnibus environmental regulation/water quality bill contained, in part, the following provisions: codifying a septic to sewer grant program; requiring a septic remediation plan where septic tanks account for more than 20% of the loading to an impaired water body; directing DEP to adopt rules; creating a standing Technical Advisory Committee (TAC) on Biosolids; and adding additional regulatory requirements, including notification procedures for utilities in the event of a sewage spill.

Advanced Well Stimulation

Legislation designed to ban fracking and matrix acidization failed.

Budget

Hurricane Michael Relief: The state legislature did not fund any programs to assist agricultural or forest land owners with replanting or clean up from the devastating impacts of Hurricane Michael. While we understand the primary disaster assistance should come from the federal government, it is still extremely disappointing that the legislature did not champion any assistance to reduce wildfire threats or assist these industries to get back on track.

We thank Ag Commissioner Nikki Fried and the Florida Forest Service, Chief Financial Officer Jimmy Patronis, Senators Bill Montford, George Gainer and Doug Broxson, and Representatives Loranne Ausley, Jay Trumbull and Brad Drake for their efforts.

UF/IFAS: Within the education silo of the budget, a significant shift in funding priority transferred from Higher Education to K-12 education. The direct impact of the reprioritization included insufficient funding to make UF/IFAS whole. Most importantly to Association members, the legislature didn't provide the funding for geomatics, horticulture or tropical aquaculture lab. These three programs were additions to the IFAS-based funding years ago and were targeted by then-Governor Rick Scott and vetoed. They have proven challenging to get wrapped back into the recurring UF/IFAS line. UF/IFAS also took a reduction in their workload funding and did not secure the full requested funding for their STEM and 4H budget requests.

FDACS/ Florida Forest Service:

\$4.9 M for Helicopter Replacement
\$6.5 M for Wildfire Equipment Replacement
\$4.4 M Road and Bridge repair and maintenance
\$3.9 M for building repairs
\$0 for the Rural and Family Lands Program.

Other budget items of note:

\$50 M for Springs Restoration Projects
\$29 M for Florida Forever Acquisitions
\$10.8 M for the Blue-Green Algae Taskforce