



From November 6, 2015

## AGRICULTURE

### **SB 304 & HB 59- Relating to Agritourism**

On Monday, November 2nd, **SB 304**, relating to Agritourism, by **Senator Kelli Stargel (R-Lakeland)** was heard in the **Senate Agriculture Committee** and unanimously passed with 4 yeas and 0 nays.

On Wednesday, November 4th, **HB 59**, relating to Agritourism, by **Rep. Neil Combee (R-Auburndale)** was heard by the **House Local Government Affairs Subcommittee** and unanimously passed with 11 yeas and 0 nays.

The bill prohibits local governments from enforcing any local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under Florida's greenbelt law. An "agritourism activity" is any agricultural related activity consistent with a bona fide farm or ranch or in a working forest that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, or harvest-your-own activities and attractions. Agritourism is one of the many methods farmers use to diversify and increase their income.

The next committee stop for SB 304 is the **Senate Community Affairs Committee**. **AIF stood in support of this bill**

HB 59 will now head to its last committee hearing in the **House State Affairs Committee**. **AIF stood in support of this bill.**

**AIF supports any legislation that allows Florida farmers to safely expand their businesses through the use of Agritourism.**

## ENVIRONMENTAL

### **SB 552- Relating to Environmental Resources**

On Wednesday, November 4th, **SB 552**, relating to Environmental Resources, by **Senator Charlie Dean (R-Inverness)** passed through the **Senate Environmental Preservation and Conservation Committee** unanimously with 9 yeas and 0 nays.

The Department of Environmental Protection projects a water shortage of 1.3 billion gallons of water per day by 2030. This bill comprehensively addresses this shortage and other water issues in our state. SB 552 revises policies relation to Florida's environmental resources including, but not limited to:

- Creating the Florida Springs and Aquifer Protection Act to expedite protection and restoration of the water flow and water quality in the aquifer and Outstanding Florida Springs.
- Ensuring that the appropriate governmental entities continue to develop and implement uniform water supply planning, consumptive water use permitting, and resource protection programs for the area encompassed by the Central Florida Water Initiative.
- Updating and restructuring the Northern Everglades and Estuaries Act to reflect and build upon the Department of Environmental Protection's (DEP) completion of basin management action plans (BMAP) for Lake Okeechobee, the Caloosahatchee Estuary, and the St. Lucie River and Estuary, DEP's continuing development of a BMAP for the inland portion of the Caloosahatchee River watershed, and Department of Agriculture and Consumer Services' implementation of best management practices in the three basins.

- Modifying water supply and resource planning documents and processes in order to provide more robust representations of the state's water needs and goals.
- Requiring the Office of Economic and Demographic Research to conduct an annual assessment of water resources and conservation lands.
- Requiring DEP to publish an online publicly accessible database of conservation lands on which public access is compatible with conservation and recreation purposes.
- Requiring DEP to conduct a feasibility study for creating and maintaining a web-based, interactive map of the state's water-bodies as well as regulatory information about each water-body.

The next and final stop for SB 552 will be in the **Senate Appropriations Committee**. **AIF spoke in support of this bill.**

**AIF supports efforts to address Florida's major water challenges by developing sound, comprehensive science-based water policy.**

## ENERGY

### **HB 191- Relating to Regulation of Oil and Gas Resources**

On Tuesday, November 3rd, **HB 191**, relating to Regulation of Oil and Gas Resources, by **Rep. Ray Rodrigues (R-Fort Myers)** passed through the **House Agriculture & Natural Resources Subcommittee** with 9 yeas and 4 nays.

This bill makes many revisions to the Oil and Gas Program (program) to make this program safer and more effective for all involved. The Department of Environmental Protection's (DEP) Mining and Minerals Regulation Program in the Division of Water Resource Management (Division) oversees permitting for oil and gas drilling, production, and exploration within Florida through its Oil and Gas Program. The Program's primary responsibilities include conservation of oil and gas resources, correlative rights protection, maintenance of health and human safety, and environmental protection.

HB 191 will now head to the **House Agriculture & Natural Resources Appropriations Subcommittee** for a vote. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in support of this bill.**

**AIF supports the need to maintain appropriate permitting laws to protect the environment, to enhance efficiency between industry and the state, and to ensure appropriate standards are clearly communicated.**

AIF released the following statement regarding HB 191:

#### **AIF Applauds House Agriculture & Natural Resources Subcommittee for Passing House Bill 191 to Regulate Oil & Gas Industry**

**Tallahassee, Fla. – Associated Industries of Florida (AIF)** today applauded the House Agriculture & Natural Resources Subcommittee for passing House Bill 191. This legislation, sponsored by Representative Ray Rodrigues (R-Estero), would allow the Florida Department of Environmental Protection (DEP) to better govern the onshore oil and gas industry through increased regulation and oversight.

"The onshore oil and gas industry continues to contribute to Florida's bottom line, lessen our dependence on foreign sources of oil and employ Floridians," said Brewster Bevis, senior vice president of state and federal affairs for AIF. "This is a responsible industry that's been operating safely in the State of Florida for decades; but, advances in technology have made it necessary to bring clarity to the rules and regulations governing this industry, so it may continue to operate and contribute to Florida's economy."

“AIF applauds the members of the House Agriculture & Natural Resources Subcommittee for the passage of this good bill today, as well as Representative Rodrigues for championing this effort,” continued Bevis. “While this bill is not perfect – for instance we continue to have concerns about instituting a moratorium until a study is conducted and new rules are adopted by DEP – we do believe it has many good provisions, including clarifying the definition of high-pressure well stimulation; requiring a permit for the use of those high-pressure well stimulation techniques; and ensuring the disclosure of all chemicals to FracFocus by the DEP, so we know what chemicals are being introduced into Florida’s environment.”

“We look forward to continuing to work with the sponsor, as well as Senator Garrett Richter, who is sponsoring this legislation in the Florida Senate, and supporting this smart legislation throughout the 2016 Legislative Session, which will bring good governance to the onshore oil and gas industry,” concluded Bevis.

For more information on AIF, please visit [AIF.com](http://AIF.com) and follow [@VoiceofFLBiz](https://twitter.com/VoiceofFLBiz).

# #

### **SB 90- Relating to Natural Gas Rebate Program**

On Tuesday, November 3rd, **SB 90**, relating to the Natural Gas Rebate Program, by **Senator Wilton Simpson (R-Trilby)** unanimously passed through the **Senate Communications, Energy, and Public Utilities Committee** with 8 yeas and 0 nays.

Since 2013 there has been a Natural Gas Fuel Fleet Vehicle Rebate Program (program) created within the Department of Agriculture and Consumer Services (DACS) to “help reduce transportation costs in this state and encourage freight mobility investments that contribute to the economic growth of the state.” Beginning with Fiscal Year 2013-2014 and continuing through Fiscal Year 2017-2018 (five years), DACS is required to award rebates, to those eligible, for the costs of converting a diesel- or gasoline-powered motor vehicle to a natural gas fuel-powered motor vehicle on or after July 1, 2013. An applicant is eligible to receive a maximum rebate of \$25,000 per vehicle up to a total of \$250,000 per applicant per fiscal year, on a first-come, first-served basis.

The changes in this bill would now allow DACS to use any unencumbered funds, if any, that remain after June 30th of each fiscal year to award additional rebates.

The next committee hearing for SB 90 is in the **Senate Appropriations Subcommittee on General Government** . **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

**AIF supports the continued funding of the natural gas fuel fleet vehicle rebate program to better allow companies the option to convert their fleets to natural gas.**

## **LEGAL & JUDICIAL**

### **HB 267 & SB 169-Relating to Public Records/State –Funded Infrastructure Bank**

On Tuesday, November 3rd, **HB 267**, relating to Public Records/State-Funded Infrastructure Bank, by **Rep. Mike LaRosa (R-Saint Cloud)** unanimously passed through the **House Transportation & Ports Subcommittee** with 12 yeas and 0 nays.

On Wednesday, November 4th, **SB 196**, relating to Public Records/State-funded Infrastructure Bank, by **Senator Travis Hutson (R-Palm Coast)** was heard by the **Senate Transportation Committee** and passed with 6 yeas and 0 nays.

Currently, the state-funded infrastructure bank (SIB) is housed within Department of Transportation (department). The SIB provides loans and credit enhancements to public and private entities for constructing and improving transportation facilities. This bill creates a public record exemption for the financial statements or other financial information that is required for the application to the SIB. However, the public records exemption does not apply to the financial records of an applicant who is in default of an SIB loan.

This exemption is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2021 unless this bill is reenacted by the Legislature.

HB 267 will now head to the **House Government Operations Subcommittee**. **AIF stood in support of this bill.**

The next stop for SB 196 bill will be in the **Senate Governmental Oversight and Accountability Committee**. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

**AIF supports protecting the financial information of private companies.**

## **ECONOMIC DEVELOPMENT**

### **HB 95- Relating to Public-Private Partnerships**

On Wednesday, November 4th, **HB 95**, relating to Public-Private Partnerships, by **Rep. Greg Steube (R-Sarasota)** unanimously passed through its third hearing in the **House Appropriations Committee** with 11 yeas and 0 nays.

The bill takes the recommendations from the Partnership for Public Facilities and Infrastructure Act Guidelines Task Force created by legislation in 2013, and incorporates many of the recommendations contained in the task force report into law. The bill aims to provide for more opportunities for the private sector to enter into contracts for construction services with state universities and local governments.

The bill expands the list of entities authorized to conduct Public-Private Partnerships (P3s) to include state universities, clarifies the P3 process, provides increased flexibility to the responsible public entity by permitting that entity to deviate from the provided procurement time frames, and authorizes the Department of Management Services to accept and maintain copies of agreements received from responsible public entities to share with municipalities/counties that may need assistance in the P3 process.

HB 95 will now head to the **House State Affairs Committee** for its last committee week hearing. **AIF stood in support of this bill.**

**AIF strongly supports utilization of the private sector in helping to solve public construction needs. Government's role is critical in securing and advancing our state's infrastructure.**

### **SB 402-Relating to Point-of-Sale Terminals**

On Wednesday, November 4th, **SB 402**, relating to Point-of-Sale Terminals, by **Senator Garrett Richter (R-Naples)** was heard in the **Senate Regulated Industries Committee** and passed with 9 yeas and 2 nays.

This bill would allow limited use of "Point-of-sale Terminals" for the sale of lottery tickets or games. A "Point-of-sale Terminal" is a charge card reader, like those used at a retail counter, self-service fuel pump or self-service checkout line. The bill authorizes the Department of the Lottery, approved vendors, and approved retailers to use point-of-sale terminals to facilitate sales of lottery tickets or games, provided that the purchaser is verified to be 18 years of age or older and the terminal does not dispense lottery winnings.

A point-of-sale terminal does not reveal winning numbers and may not be used to redeem a winning ticket. Lottery ticket sales revenue generated from point-of-sale terminals must be used to enhance instructional technology resources for students and teachers in Florida.

The next stop for SB 402 will be in the **Senate Appropriations Subcommittee on General Government**. **AIF stood in support of this bill.**

**AIF supports innovative means to help fund Florida's education system. In addition, enactment of this legislation would create more manufacturing jobs in the State.**

## **PROPERTY RIGHTS**

### **SB 416-Relating to Location of Utilities**

On Wednesday, November 4th, **SB 416**, relating to Location of Utilities, by Senator **Anitere Flores (R-Miami)** passed through the **Senate Transportation Committee** with 5 yeas and 1 nay.

SB 416 will address who is the responsible party for the cost of relocating utility facilities in a public easement. Easements dedicated to the public for utilities are typically located along existing road or highway rights-of-way and are available for use by a variety of utility providers. The bill flips the responsibility to bear relocation costs from the utility owner to the state or local government requiring the facilities to be relocated. The owner of a utility that requires relocation will be liable for relocation costs only if their lines and facilities are across, on or "within" the right-of-way, rather than "along" any right-of-way.

HB 416 will head to its last committee stop in the **Senate Fiscal Policy Committee**. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

**AIF supports protecting the private property rights of Florida businesses.**