Tab 1	SB 292 by Jones; (Identical to H 00307) Healthy Food Financing Initiative Program	
Tab 2	SB 518 by DiCeglie; (Similar to H 00157) Public Records/Animals from an Animal Shelter	
Tab 3	SB 674 by Harrell; (Identical to H 00399) Food Recovery	

The Florida Senate

COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE Senator Collins, Chair Senator Boyd, Vice Chair

MEETING DATE: Monday, March 6, 2023

TIME: 3:30—5:30 p.m.
PLACE: 301 Senate Building

MEMBERS: Senator Collins, Chair; Senator Boyd, Vice Chair; Senators Baxley, Berman, Grall, Mayfield, Rouson,

Simon, and Thompson

		'	
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 292 Jones (Identical H 307)	Healthy Food Financing Initiative Program; Revising requirements for the administration of and participation in the Healthy Food Financing Initiative program; providing program eligibility requirements for nonprofit organizations and revising eligibility requirements for community development financial institutions; requiring the Office of Program Policy Analysis and Government Accountability to review the program and collected data after a specified timeframe and provide the Legislature with a specified report; specifying that program funding is subject to and provided from certain appropriations, etc. AG 03/06/2023 Favorable AEG	Favorable Yeas 9 Nays 0
		FP	
2	SB 518 DiCeglie (Similar H 157)	Public Records/Animals from an Animal Shelter; Providing an exemption from public records requirements for records containing certain information pertaining to persons with legal custody of an animal from an animal shelter or animal control agency operated by a local government; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	Favorable Yeas 9 Nays 0
		AG 03/06/2023 Favorable CA RC	
3	SB 674 Harrell (Identical H 399)	Food Recovery; Directing the Department of Agriculture and Consumer Services, subject to legislative appropriation, to implement a pilot program to provide incentives to agricultural companies to sell fresh food products to food recovery entities; authorizing food recovery entities to negotiate the price for fresh food products and reimburse agricultural companies for certain costs; providing shipping requirements; requiring the department to reimburse food recovery entities for certain costs, etc. AG 03/06/2023 Favorable	Favorable Yeas 9 Nays 0
		AEG FP	

COMMITTEE MEETING EXPANDED AGENDA

Agriculture Monday, March 6, 2023, 3:30—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	Presentation on Youth Development and Ed	lucational Opportunities by 4-H	Presented
5	Presentation on the Future Technology of A	griculture by Dr. Nathan Boyd, UF/IFAS	Presented
6	Presentation on Florida Agriculture in the Cl Director of FAITC	assroom by Becky Sponholtz, Executive	Presented
7	Presentation on the Apalachicola Bay Syste Univerity Coastal and Marine Labratory	m Initiative by Dr. Joel Trexler, Florida State	Presented
8	Presentation on Aquaculture by the University	ity of South Florida	Not Considered
9	Presentation on Farming Reimagined for the	e 21st Century by Florida A&M University	Presented
	Other Related Meeting Documents		

The Florida Senate BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

	Prepa	ared By: T	he Professional S	Staff of the Committ	ee on Agriculture
BILL:	SB 292				
INTRODUCER:	Senator Jon	nes			
SUBJECT:	Healthy Fo	od Finan	cing Initiative	Program	
DATE:	March 3, 20	023	REVISED:		
ANAL	YST	STAF	F DIRECTOR	REFERENCE	ACTION
1. Burse		Becke	r	AG	Pre-meeting
2				AEG	
3.				FP	

I. Summary:

SB 292 amends the Healthy Food Financing Initiative, which was created in 2016. The bill transfers, renumbers, and amends s. 500.81, F.S., to redefine "underserved communities," revises requirements for the administration of and participation in the Healthy Food Financing Initiative program, and revises eligibility requirements for program participants. The bill provides that a minimum of three eligible projects be funded annually and lists the eligible purposes for financing. The bill requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review the program and collected data and provide the Legislature with a specified report. The bill also provides that the department's performance and obligation to pay is contingent upon annual appropriation by the Legislature.

The bill provides an effective date of July 1, 2023.

II. Present Situation:

Healthy Food Financing Initiative Program

In 2016, the Florida legislature directed the Department of Agriculture and Consumer Services (department) to establish a Healthy Food Financing Initiative Program (program) to provide financial assistance for the rehabilitation or expansion of grocery retail outlets located in underserved or low-income communities¹. The department was directed to draw upon and coordinate the use of federal, state, and private loans or grants, federal tax credits, and other types of financial assistance. The goal of the program is to improve public health and well-being of low-income children, families, and older adults by increasing access to fresh produce and other nutritious foods at participating independent grocery outlets that will be required to allocate at least

¹ https://www.fdacs.gov/Food-Nutrition/Nutrition-Programs/Healthy-Food-Financing-Initiative#:~:text=Established%20by%20the%20Florida%20Legislature,grocery%20stores%2C%20independent%20supermarkets%2C%20convenience (last visited January 26, 2023)

30 percent of their retail space to the sale of perishable foods, which may include fresh or frozen dairy products, fresh produce, and fresh meats, poultry, and fish. Annual reporting of the Program's accomplishments is required to be made to the President of the Senate and Speaker of the House, and, after seven years, the Office of Program and Policy Analysis and Government Accountability is directed to review the impact and successfulness of the program.²

For the 2016-2017 fiscal year, \$500,000 in non-recurring general revenue was appropriated to the department to implement the program.³

Food Insecurity in Florida

In 2021, the Office of Program Policy Analysis and Government Accountability (OPPAGA) prepared a research memorandum to describe low income, low access (LILA) census tracts in the state, which includes describing what is known about LILA food areas and the effects on residents of those areas.⁴ The memorandum outlines the incidence of LILA census tracts statewide, specifically, the number of people that are both low income and have limited access to healthy food options by census tract; provides additional information about LILA areas in Hillsborough, Pinellas, and Suwannee counties; and provides high level policy considerations to expand access to healthy food in LILA areas.

In Florida, the number of LILA tracts has decreased since 2015, but barriers to healthy food access remain.⁵ Approximately 13.5% of Floridians live in census tracts that are both low income and low access, with a larger percentage of urban residents compared to rural residents⁶. In Hillsborough and Pinellas counties, residents of LILA census tracts are disproportionately Black compared to other areas of the county and the LILA census tracts have high poverty rates, and few, if any major chain supermarkets⁷. Public and private entities have started a range of food access initiatives in these counties, though resource constraints present a challenge⁸. In Suwannee County, the two LILA census tracts have a higher proportion of residents that are 65 and older, have no major chain supermarkets, and stakeholders report that the largest barrier to healthy food access is transportation⁹.

High relative availability of unhealthy food refers to geographic areas where there is a high ratio of unhealthy food sources to healthy food sources. Such areas are sometimes referred to as food swamps. Both low-access and unhealthy food environments have been associated with a range of social, economic, and health concerns. A "low income" census tract is characterized by a poverty rate greater than 20%, or median family income of less than or equal to 80% of the statewide median family income, or in metropolitan areas, 80% of the metropolitan area median family income. A "low access" census tract is characterized by an area where at least 500 people, or 33%

² Section 500.81, F.S.

³ Ch 2016-221, Laws of Florida.

⁴ Office of Program Policy and Government Accountability, "Geographic Access to Healthy Food in Florida," (December 27, 2021).

⁵ *Id.* at 10

⁶ *Id*. at 10

⁷ *Id.* at 16-17 & 25-26

⁸ Id. at 23-24 & 30-31

⁹ Id. at 32-34

of the population is greater than 1 mile or 10 miles from a supermarket, supercenter, or large grocery store ¹⁰.

III. Effect of Proposed Changes:

Section 1 renames Chapter. 595, F.S., entitled "School Food and Nutrition Services," as "Food and Nutrition."

Section 2 transfers, renumbers and amends s. 500.81, F.S., as section 595.801, F.S.

The bill changes the definition of "underserved community" to "a low income community where a substantial number of residents have low access to a full service supermarket or grocery store."

The bill directs the Department of Agriculture and consumer Services (department) to establish a Healthy Food Financing Initiative program that provides grants and loans, for the construction, rehabilitation, or expansion of independent grocery stores, supermarkets, community facilities, or other retail outlets to increase access to affordable fresh produce and other nutritious food in underserved communities.

The bill also provides new program eligibility requirements for nonprofit organizations, requiring that the organization can demonstrate:

- Prior experience in healthy food financing;
- An exemption from taxation under s. 501(c)(3) of the Internal Revenue Code;
- The ability to successfully manage and operate lending and grant programs; and
- The ability to assume full financial risk for loans made under the program.

The bill also provides new program eligibility requirements for community development financial institutions. These institutions must demonstrate all of the following:

- Prior experience in healthy food financing;
- Certification by the Community Development Financial Institutions Fund of the United States Department of the Treasury;
- The ability to successfully manage and operate lending and tax credit programs; and
- The ability to assume full financial risk for loans made under the program

The bill also requires that any third-party administrator that contracts with the department shall provide quarterly updates to the department.

The department, or a third party administrator, is required to:

- Establish program guidelines, raise matching funds, promote the program statewide, evaluate applicants, make award decisions, underwrite and disburse grants and loans, and monitor compliance and impact;
- Create eligibility guidelines and provide financing through an application process; and
- Report annually to the President of the Senate and the Speaker of the House of Representatives on the projects funded, the geographic distribution of the projects, and the outcomes, including the number and type of jobs created.

¹⁰ Id. at 3

The bill also revises requirements for program applicants and projects. The entities that may apply for funding under the program include for profit entities, including convenience stores or fueling stations, and not-for-profit entities including, but not limited to, sole proprietorships, partnerships, limited liability companies, corporations, cooperatives, nonprofit organizations, nonprofit community development entities, or private universities.

The bill requires that a program applicant must do all of the following:

- Demonstrate the capacity to successfully implement the project and the likelihood that the project will be economically self-sustaining.
- Demonstrate the ability to repay the loan.
- Accept Supplemental Nutrition Assistance Program benefits and Special Supplemental Nutrition Program for Women, Infants, and Children benefits.
- Independent grocery stores and supermarkets must allocate at least 30 percent of floor space for the sale of perishable foods.
- Comply with all data collection and reporting.
- Promote the hiring of local residents as well as Florida-based grocers.

The bill provides that the department shall give preference to Florida-based grocers, local business owners with experience in grocery stores, and grocers and business owners with a business plan that includes written documentation of opportunities to purchase from farmers and growers in this state before seeking out-of-state purchases.

The bill outlines certain requirements for program eligibility. Projects must be located in an underserved community and provide for the construction of independent grocery stores or supermarkets; renovation, expansion, and infrastructure upgrades to stores and community facilities that improve the availability and quality of fresh produce and other healthy foods; or other projects that create or improve access to affordable fresh produce.

The bill provides that a minimum of three eligible projects be funded annually and lists the eligible purposes for financing.

The bill requires that the Office of Program Policy Analysis and Government Accountability review the program and data collected from the department after a term of seven years and provide a report to the President of the Senate and the Speaker of the House of Representatives. The report must include economic impact and health outcomes data and other factors as determined by the department. If the report determines the program to be unsuccessful after seven years, the department must return any initial funds that have not been loaned, granted, or leveraged in a revolving loan fund to the General Revenue Fund.

The bill provides that the department's performance and obligation to pay under this section is contingent upon an annual appropriation by the Legislature as provided in s. 287.0582. If the department contracts with a third-party administrator, funds must be advanced from the department's annual appropriation to the third-party administrator in order to implement this section.

The bill grants the department rulemaking authority to implement the bill.

Sections 3, 4, 5, 6, and 7 make technical changes.

Section 8 provides the bill will take effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

In 2015, DACS estimated \$64,499 in recurring funds and \$3,999 in nonrecurring funds for 1 OPS and associated expenses would be needed to implement the program as passed into law in 2016.¹¹

VI. Technical Deficiencies:

None.

¹¹ DACS, Agency Analysis of 2016 House Bill 153, p. 3 (October 19, 2015) (on file with the Senate Committee on Agriculture).

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 500.81, 595.801, 595.401, 595.402, 595.404, 595.408, 595.501.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Jones

34-00135-23 2023292

A bill to be entitled An act relating to the Healthy Food Financing Initiative program; providing a directive to the Division of Law Revision; transferring, renumbering, and amending s. 500.81, F.S.; redefining the term "underserved community"; revising requirements for the administration of and participation in the Healthy Food Financing Initiative program; providing program eligibility requirements for nonprofit organizations 10 and revising eligibility requirements for community 11 development financial institutions; revising 12 requirements for program applicants and projects; 13 revising the purposes for which project funding may be 14 used; requiring the Office of Program Policy Analysis 15 and Government Accountability to review the program 16 and collected data after a specified timeframe and 17 provide the Legislature with a specified report; 18 specifying that program funding is subject to and 19 provided from certain appropriations; deleting a 20 prohibition relating to funding distribution; amending 21 ss. 595.401, 595.402, 595.404, 595.408, and 595.501, 22 F.S.; conforming provisions to changes made by the 23 act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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Section 1. The Division of Law Revision is directed to rename chapter 595, Florida Statutes, entitled "School Food and Nutrition Services," as "Food and Nutrition."

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Section 2. Section 500.81, Florida Statutes, is transferred, renumbered as section 595.801, and amended to read: 595.801 500.81 Healthy Food Financing Initiative.—

(1) DEFINITIONS.—As used in this section, the term:

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- (a) "Community facility" means a property owned by a nonprofit or for-profit entity in which health and human services are provided and space is offered in a manner that provides increased access to, or delivery or distribution of, food or other agricultural products to encourage public consumption and household purchases of fresh produce or other healthy food to improve the public health and well-being of low-income children, families, and older adults.
- (b) "Department" means the Department of Agriculture and Consumer Services.
- (c) "Independent grocery store or supermarket" means an independently owned grocery store or supermarket whose parent company does not own more than 40 grocery stores throughout the country based upon ownership conditions as identified in the latest Nielsen TDLinx Supermarket/Supercenter database.
- (d) "Low-income community" means a population census tract, as reported in the most recent United States Census Bureau American Community Survey, which meets one of the following criteria:
 - 1. The poverty rate is at least 20 percent;
- 2. In the case of a low-income community located outside of a metropolitan area, the median family income does not exceed 80 percent of the statewide median family income; or
- 3. In the case of a low-income community located inside of a metropolitan area, the median family income does not exceed 80

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percent of the statewide median family income or 80 percent of the metropolitan median family income, whichever is greater.

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- (e) "Program" means the Healthy Food Financing Initiative established by the department.
- (f) "Underserved community" means a <u>low-income community</u> distressed urban, suburban, or rural geographic area where a substantial number of residents have low access to a full-service supermarket or grocery store. An area with limited supermarket access must be:
- A census tract, as determined to be an area with low access by the United States Department of Agriculture, as identified in the Food Access Research Atlas;
- 2. Identified as a limited supermarket access area as recognized by the Community Development Financial Institutions Fund of the United States Department of the Treasury; or
- 3. Identified as an area with low access to a supermarket or grocery store through a methodology that has been adopted for use by another governmental initiative, or \underline{a} well-established or well-regarded philanthropic healthy food initiative.
- (2) HEALTHY FOOD FINANCING INITIATIVE PROGRAM.—The department shall establish a Healthy Food Financing Initiative program that provides grants and loans is composed of and coordinates the use of grants from any source; federal, state, and private loans from a governmental entity or institutions regulated by a governmental entity; federal tax credits; and other types of financial assistance for the construction, rehabilitation, or expansion of independent grocery stores, supermarkets, community facilities, or other retail outlets structures to increase access to affordable fresh produce and

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88	other nutritious food in underserved communities.
89	(3) THIRD-PARTY ADMINISTRATORS; QUALIFICATIONS.—
90	(a) The department may contract with one or more qualified
91	nonprofit organizations or Florida-based federally certified
92	community development financial institutions to administer the
93	program through a public-private partnership.
94	(b) A qualified nonprofit organization must be able to
95	demonstrate all of the following:
96	1. Prior experience in healthy food financing.
97	2. An exemption from taxation under s. 501(c)(3) of the
98	<u>Internal Revenue Code.</u>
99	3. The ability to successfully manage and operate lending
100	and grant programs.
101	$\underline{\text{4. The ability to assume full financial risk for loans made}}$
102	under the program.
103	(c) Eligible community development financial institutions
104	must be able to demonstrate all of the following:
105	1. Prior experience in healthy food financing.
106	2. Certification by Support from the Community Development
107	Financial Institutions Fund of the United States Department of
108	the Treasury.
109	3. The ability to successfully manage and operate lending
110	and tax credit programs.
111	4. The ability to assume full financial risk for loans made
112	under the program this initiative.
113	(d) Any third-party administrator that contracts with the
114	department shall provide quarterly updates to the department.
115	(4) (b) DUTIES OF THE DEPARTMENT OR THIRD-PARTY
116	ADMINISTRATOR.—The department or a third-party administrator

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shall do all of the following:

(a)1. Establish program guidelines, raise matching funds, promote the program statewide, evaluate applicants, <u>make award decisions</u>, underwrite and disburse grants and loans, and monitor compliance and impact. The department may contract with a third-party administrator to carry out such duties. If the department contracts with a third-party administrator, funds shall be granted to the third-party administrator to create a revolving loan fund for the purpose of financing projects that meet the criteria of the program. The third-party administrator shall report to the department annually.

(b) 2. Create eligibility guidelines and provide financing through an application process. Eligible projects must:

- a. Be located in an underserved community;
- b. Primarily serve low-income communities; and

e. Provide for the renovation or expansion of, including infrastructure upgrades to, existing independent grocery stores or supermarkets; or the renovation or expansion of, including infrastructure upgrades to, community facilities to improve the availability and quality of fresh produce and other healthy foods.

(c)3. Report annually to the President of the Senate and the Speaker of the House of Representatives on the projects funded, the geographic distribution of the projects, the costs of the program, and the outcomes, including the number and type of jobs created.

(4) (a) The Office of Program Policy Analysis and Government Accountability shall review the program and data collected from the department after a term of 7 years and report to the

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146	President of the Senate and the Speaker of the House of
147	Representatives. The report shall include, but is not limited
148	to, health impacts based on data collected by the state on
149	diabetes, heart disease and other obesity-related diseases, and
150	other factors as determined by the department.
151	(b) If the report determines the program to be unsuccessful
152	after 7 years, the department shall create guidelines for unused
153	funds to be returned to the initial investor.
154	(5) PROGRAM PARTICIPANTS.—Entities that may apply for
155	funding under the program include A for-profit entities entity,
156	including a convenience stores store or a fueling stations; and
157	station, or a not-for-profit entities entity, including, but not
158	limited to, a sole proprietorships, partnerships proprietorship,
159	partnership, limited liability companies, corporations,
160	<pre>cooperatives company, corporation, cooperative, nonprofit</pre>
161	organizations organization, nonprofit community development
162	<pre>entities entity, or private universities university, may apply</pre>
163	for financing.
164	(a) A program An applicant for financing must do all of the
165	<pre>following:</pre>
166	1.(a) Demonstrate the capacity to successfully implement
167	the project and the likelihood that the project will be
168	economically self-sustaining. $\dot{ au}$
169	$\underline{2.(b)}$ Demonstrate the ability to repay the loan.; and
170	(c) Agree, as an independent grocery store or supermarket,
171	for at least 5 years, to:
172	$\underline{3.1}$. Accept Supplemental Nutrition Assistance Program
173	benefits <u>and</u> ;
174	2. Apply to accept Special Supplemental Nutrition Program

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175	for Women, Infants, and Children benefits <u>.</u> and accept such
176	benefits, if approved;
177	4.3. For independent grocery stores and supermarkets,
178	allocate at least 30 percent of <u>floor</u> food retail space for the
179	sale of perishable foods, which may include fresh or frozen
180	dairy products, fresh produce, and fresh meats, poultry, and
181	fish <u>.</u> +
182	5.4. Comply with all data collection and reporting
183	requirements established by the department.: and
184	6.5. Promote the hiring of local residents.
185	(b) The department shall give preference to Florida-based
186	grocers, local business owners with experience in grocery
187	stores, and grocers and business owners with a business plan
188	that includes written documentation of opportunities to purchase
189	from farmers and growers in this state before seeking out-of-
190	state purchases.
191	(6) PROJECT ELIGIBILITY.—
192	(a) To be eligible for funding under the program, a project
193	must:
194	1. Be located in an underserved community; and
195	2. Provide for the construction of independent grocery
196	stores or supermarkets; renovation, expansion, and
197	infrastructure upgrades to stores and community facilities that
198	improve the availability and quality of fresh produce and other
199	healthy foods; or other projects that create or improve access
200	to affordable fresh produce which meet the intent of this
201	section, as determined by the department or a third-party
202	administrator.
203	(b) Projects including, but not limited to, corner stores,

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204	bodegas, or other types of nontraditional grocery stores that do
205	not meet the 30 percent <u>floor space</u> minimum in subparagraph
206	(5) (a) 4. may $3.$ can still qualify for funding if such funding
207	will be used for refrigeration, displays, or other one-time
208	capital expenditures to promote the sale of fresh produce and
209	other healthy foods.
210	(6) In determining which qualified projects to finance, the
211	department or third-party administrator shall:
212	(a) Give preference to local Florida-based grocers or local
213	business owners with experience in grocery stores and to grocers
214	and business owners with a business plan model that includes
215	written documentation of opportunities to purchase from Florida
216	<pre>farmers and growers before seeking out-of-state purchases;</pre>
217	(b) Consider the level of need in the area to be served;
218	(c) Consider the degree to which the project will have a
219	positive economic impact on the underserved community, including
220	the creation or retention of jobs for local residents;
221	(d) Consider the location of existing independent grocery
222	stores, supermarkets, or other markets relevant to the
223	applicant's project and provide the established entity the right
224	of first refusal for such project; and
225	(c) Consider other criteria as determined by the
226	department.
227	$\underline{\text{(c)}}$ $\underline{\text{(7)}}$ A minimum of three eligible projects shall be funded
228	annually. Financing under this program for eligible projects may
229	be used for $\underline{\text{any of}}$ the following purposes:
230	$\underline{1.(a)}$ Site acquisition and preparation.
231	$\underline{2.(b)}$ Construction and build-out costs.
232	$\underline{3.(c)}$ Equipment and furnishings.

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233	4.(d) Workforce training or security.
234	5.(e) Predevelopment costs, such as market studies and
235	appraisals.
236	6.(f) Energy efficiency measures.
237	7.(g) Working capital for first-time inventory and startup
238	costs, including seeds and starter plants for residential
239	produce cultivation.
240	(h) Acquisition of seeds and starter plants for the
241	residential cultivation of fruits, vegetables, herbs, and other
242	culinary products. However, only 7 percent of the total funds
243	expended in any one project under this section may be used for
244	such acquisition.
245	8.(i) Other purposes as determined <u>necessary and reasonable</u>
246	by the department or a third-party administrator.
247	(7) PROGRAM REVIEW.—
248	(a) The Office of Program Policy Analysis and Government
249	Accountability shall review the program and data collected from
250	the department after a term of 7 years and provide a report to
251	the President of the Senate and the Speaker of the House of
252	Representatives. The report must include economic impact and
253	health outcomes data and other factors as determined by the
254	<pre>department.</pre>
255	(b) If the report determines the program to be unsuccessful
256	after 7 years, the department must return any initial funds that
257	have not been loaned, granted, or leveraged in a revolving loan
258	fund to the General Revenue Fund.
259	(8) FUNDING.—The department's performance and obligation to
260	pay under this section is contingent upon an annual

appropriation by the Legislature as provided in s. 287.0582. If

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262	the department contracts with a third-party administrator, funds
263	must be advanced from the department's annual appropriation to
264	the third-party administrator in order to implement this
265	section.
266	(9) (8) RULES.—The department shall adopt rules to
267	administer this section.
268	(9) The department may not distribute more than \$500,000
269	among more than three recipients.
270	Section 3. Section 595.401, Florida Statutes, is amended to
271	read:
272	595.401 Short title.—Sections 595.401-595.601 This chapter
273	may be cited as the "Florida School Food and Nutrition Act."
274	Section 4. Section 595.402, Florida Statutes, is amended to
275	read:
276	595.402 Definitions.—As used in this $\underline{\text{act}}$ chapter, the term:
277	(1) "Commissioner" means the Commissioner of Agriculture.
278	(2) "Department" means the Department of Agriculture and
279	Consumer Services.
280	(3) "Program" means any one or more of the school food and
281	nutrition service programs that the department has
282	responsibility over including, but not limited to, the National
283	School Lunch Program, the Special Milk Program, the School
284	Breakfast Program, the Summer Food Service Program, the Fresh
285	Fruit and Vegetable Program, and any other program that relates
286	to school nutrition.
287	(4) "School breakfast program" means a program authorized
288	by s. 4 of the Child Nutrition Act of 1966, as amended, and
289	administered by the department.
290	(5) "School district" means any of the 67 county school

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districts, including the respective district school board.

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- (6) "Sponsor" means any entity that is conducting a program under a current agreement with the department.
- (7) "Summer nutrition program" means one or more of the programs authorized under 42 U.S.C. s. 1761.
- (8) "Universal school breakfast program" means a program that makes breakfast available at no cost to all students regardless of their household income.

Section 5. Subsections (3), (9), (10), (11), and (13) of section 595.404, Florida Statutes, are amended to read:

595.404 School food and other nutrition programs; powers and duties of the department.—The department has the following powers and duties:

- (3) To fully cooperate with the United States Government and its agencies and instrumentalities so that the department may receive the benefit of all federal financial allotments and assistance possible to carry out the purposes of this $\underline{\text{act}}$ $\underline{\text{chapter}}$.
- (9) To employ such persons as are necessary to perform its duties under this $\underline{\text{act}}$ $\underline{\text{chapter}}$.
- (10) To adopt rules covering the administration, operation, and enforcement of the program and the farmers' market nutrition program, as well as to implement the provisions of this \underline{act} chapter.
- (11) To adopt and implement an appeal process by rule, as required by federal regulations, for applicants and participants under the programs implemented pursuant to this <u>act</u> chapter, notwithstanding ss. 120.569 and 120.57-120.595.
 - (13) To advance funds from the program's annual

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320	appropriation to a summer nutrition program sponsor, when
321	requested, in order to implement $\frac{1}{1}$ this $\frac{1}{1}$
322	<pre>chapter and in accordance with federal regulations.</pre>
323	Section 6. Paragraph (b) of subsection (1) and subsections
324	(2) and (4) of section 595.408, Florida Statutes, are amended to
325	read:
326	595.408 Food distribution services; department
327	responsibilities and functions
328	(1)
329	(b) The department shall determine the benefits each
330	applicant or recipient of assistance is entitled to receive
331	under this act chapter, provided that each applicant or
332	recipient is a resident of this state and a citizen of the
333	United States or is an alien lawfully admitted for permanent
334	residence or otherwise permanently residing in the United States
335	under color of law.
336	(2) The department shall cooperate fully with the United
337	States Government and its agencies and instrumentalities so that
338	the department may receive the benefit of all federal financial
339	allotments and assistance possible to carry out the purposes of
340	this <u>act</u> chapter .
341	(4) This $\underline{\text{act}}$ chapter does not limit, abrogate, or abridge
342	the powers and duties of any other state agency.
343	Section 7. Subsection (2) of section 595.501, Florida
344	Statutes, is amended to read:
345	595.501 Corrective action plans; penalties
346	(2) Any person or sponsor that violates any provision of
347	this $\underline{\operatorname{act}}$ $\underline{\operatorname{chapter}}$ or any rule adopted thereunder or otherwise
348	does not comply with the program is subject to a suspension or

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349	revocation of their agreement, loss of reimbursement, or a
350	financial penalty in accordance with federal or state law, or
351	both. This section does not restrict the applicability of any
352	other law.
353	Section 8. This act shall take effect July 1, 2023.

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 ${\bf CODING:}$ Words ${\bf stricken}$ are deletions; words ${\bf \underline{underlined}}$ are additions.

	The Florida Senate	00 000
3/6/2023	APPEARANCE RECORD	55292
agranhye	Deliver both copies of this form to Senate professional staff conducting the meeting	Bill Number or Topic
Name Name Lawthon	Phone 4	Amendment Barcode (if applicable) 7 855-7604
Address 1747 Oclares	Cantral Phw / Email log	uslahow Ellondapt
Orlando FL City State	32809 Zip	by of
Speaking: For Against	Information OR Waive Speaking:	In Support Against
	PLEASE CHECK ONE OF THE FOLLOWING:	
I am appearing without compensation or sponsorship.	I am a registered lobbyist, representing:	ram not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

SB	29	2	
	Bil	l Number or Topic	

٨	Meeting Date		Deliver both copies of this form to Senate professional staff conducting the meeting		Ь	siii Number or ropic	
<u>H</u>	Committee		senate professio	Tiai stail coriduc	cting the meeting	Amendm	nent Barcode (if applicable)
Name	e Amanda F	vaser			Phone <u>\$5</u>	0 556 1401	
Addr	ess				Email		
	Street						
	Tallahassu City	State		Zip			
	Speaking: For	Against	Information	OR	Waive Speaking:	: 🔀 In Support	Against
		F	PLEASE CHECK	ONE OF TH	HE FOLLOWING:		
	I am appearing without compensation or sponsorship.		I am a regis representir AMUNICA	an Dia		something	lobbyist, but received g of value for my appearance eals, lodging, etc.), d by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

	The Flori	da Senate	00
3 (6 (23	APPEARAN	CE RECORD	SB 242
Meeting Date	Deliver both cop	ies of this form to	Bill Number or Topic
Hariculture		conducting the meeting	
Committee			Amendment Barcode (if applicable)
Name JEFF SCAL	A	Phone	350 487-0697
Address 100 S Mon	roe Str	Email	scala@fl-counties.com
Street	F1 373		
Tallahassee			
Citỳ	State Zip		
Speaking: For	Against Information	R Waive Speaking	: In Support Against
	PLEASE CHECK ONE	OF THE FOLLOWING:	
I am appearing without compensation or sponsorship.	I am a registered lo representing:	bbyist,	I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.),
Florida	Association of	Countles	sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

SB 0292

03/06/2023

Meeting Date Agriculture			oth copies of this for nal staff conducting		Bill Number or Topic		
	Committee				Amendment Barcode (if applicable)		
Name	Ivonne Ferna	indez- AARP		Phone_	954-850-7262		
Address	3750 NW 87th	Ave Suite 650		Email _	ifernandez@aarp.org		
	Street						
	Doral	FL FL	33178				
	City	State	Zip				
	Speaking: For	Against Information	OR Wa	iive Speal	king: 🔽 In Support 🔲 Against		
	PLEASE CHECK ONE OF THE FOLLOWING:						
	n appearing without npensation or sponsorship.	representir	_		I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.),		
		A	ARP		sponsored by:		

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

The Florida Senate BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

,	Prepa	ared By: Th	e Professional	Staff of the Commit	tee on Agriculture			
BILL:	SB 518							
INTRODUCER:	Senator DiCeglie							
SUBJECT:	Public Reco	ords/Anim	als from an A	Animal Shelter				
DATE:	March 3, 20)23	REVISED:					
ANAL	YST	STAFF	DIRECTOR	REFERENCE	ACTION			
1. Burse		Becker		AG	Pre-meeting			
2.			_	CA				
3.				RC				

I. Summary:

SB 518 provides an exemption from public records requirements for records containing certain information pertaining to persons with legal custody of an animal from an animal shelter or animal control agency operated by a local government. The bill provides a statement of public necessity.

The public records exemption would stand repealed on October 2, 2028, unless it is reenacted by the Legislature under the Open Government Sunset Review Act.

The bill takes effect July 1, 2023.

II. Present Situation:

Access to Public Records - Generally

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business. The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and the statutory provisions are adopted in the rules of each house of the

¹ FLA. CONST. art. I, s. 24(a).

 $^{^{2}}$ Id.

legislature.³ Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.⁴ Lastly, ch. 119, F.S., provides requirements for public records held by executive agencies.

Executive Agency Records – The Public Records Act

Chapter 119, F.S., known as the Public Records Act, provides that all state, county and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.⁵

A public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted.⁶ The Florida Supreme Court has interpreted the statutory definition of "public record" to include "material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type."⁷

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person's right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁸ A violation of the Public Records Act may result in civil or criminal liability.⁹

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate. ¹⁰ The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption. ¹¹

³ See Rule 1.48, Rules and Manual of the Florida Senate, (2022-2024) and Rule 14.1, Rules of the Florida House of Representatives, (2022-2024).

⁴ State v. Wooten, 260 So. 3d 1060 (Fla. 4th DCA 2018).

⁵ Section 119.01(1), F.S. Section 119.011(2), F.S., defines "agency" as "any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency."

⁶ Section 119.011(12), F.S., defines "public record" to mean "all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency."

⁷ Shevin v. Byron, Harless, Schaffer, Reid and Assoc., Inc., 379 So. 2d 633, 640 (Fla. 1980).

⁸ Section 119.07(1)(a), F.S.

⁹ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

¹⁰ FLA. CONST. art. I, s. 24(c).

¹¹ *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

General exemptions from the public records requirements are contained in the Public Records Act. ¹² Specific exemptions often are placed in the substantive statutes relating to a particular agency or program. ¹³

When creating a public records exemption, the Legislature may provide that a record is "exempt" or "confidential and exempt." Custodians of records designated as "exempt" are not prohibited from disclosing the record; rather, the exemption means that the custodian cannot be compelled to disclose the record. ¹⁴ Custodians of records designated as "confidential and exempt" may not disclose the record except under circumstances specifically defined by the Legislature. ¹⁵

Open Government Sunset Review Act

The Open Government Sunset Review Act¹⁶ (the act) prescribes a legislative review process for newly created or substantially amended¹⁷ public records or open meetings exemptions, with specified exceptions.¹⁸ It requires the automatic repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.¹⁹

The act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.²⁰

An exemption serves an identifiable purpose if it meets one of the following purposes *and* the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;²¹
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;²² or

¹² See, e.g., s. 119.071(1)(a), F.S. (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

¹³ See, e.g., s. 213.053(2)(a), F.S. (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

¹⁴ See Williams v. City of Minneola, 575 So. 2d 683, 687 (Fla. 5th DCA 1991).

¹⁵ WFTV, Inc. v. The School Board of Seminole, 874 So. 2d 48 (Fla. 5th DCA 2004).

¹⁶ Section 119.15, F.S.

¹⁷ An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

¹⁸ Section 119.15(2)(a) and (b), F.S., provide that exemptions that are required by federal law or are applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

¹⁹ Section 119.15(3), F.S.

²⁰ Section 119.15(6)(b), F.S.

²¹ Section 119.15(6)(b)1., F.S.

²² Section 119.15(6)(b)2., F.S.

• It protects information of a confidential nature concerning entities, such as trade or business secrets. ²³

In examining an exemption, the act directs the Legislature to carefully question the purpose and necessity of reenacting the exemption. The act requires the Legislature to consider the following specific questions in such a review:²⁴

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.²⁵ If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to sunset, the previously exempt records will remain exempt unless provided for by law.²⁶

Public or Private Animal Agencies Public Records

Currently, the records of a public animal shelter, humane organization, or animal control agency operated by a humane society must be made available to the public pursuant to provisions in chapter 119, F.S.²⁷. The following data must be available on a monthly basis commencing July 31, 2013:

The total number of dogs and cats taken in by the animal shelter, humane organization, or animal control agency, divided into species, in the following categories:

- Surrendered by owner;
- Stray;
- Impounded;
- Confiscated:
- Transferred from within Florida;
- Transferred into or imported from out of the state; and
- Born in shelter.

Species other than domestic cats and domestic dogs should be recorded as "other.²⁸"

²³ Section 119.15(6)(b)3., F.S.

²⁴ Section 119.15(6)(a), F.S.

²⁵ See generally s. 119.15, F.S.

²⁶ Section 119.15(7), F.S.

²⁷ Section 823.15(2)(b), F.S.

²⁸ Section 823.15(2)(a)1, F.S.

The disposition of all animals taken in by a public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision, divided into species. These data must include dispositions by:

- Adoption;
- Reclamation by owner;
- Death in kennel;
- Euthanasia at the owner's request;
- Transfer to another public or private animal shelter, humane organization, or animal
 control agency operated by a humane society or by a county, municipality, or other
 incorporated political subdivision;
- Euthanasia;
- Released in field/Trapped, Neutered, Released (TNR);
- Lost in care/missing animals or records; and

Ending inventory/shelter count at end of the last day of the month²⁹.

A public or private animal shelter, humane organization, or animal control agency operated by a humane society, or by a county, municipality, or other incorporated political subdivision which routinely euthanizes dogs based on size or breed alone must provide a written statement of such policy. Dogs euthanized due to breed, temperament, or size must be recorded and included in the calculation of the total euthanasia percentage³⁰.

III. Effect of Proposed Changes:

Section 1 amends s. 823.15, F.S., to revise language related to the adoption of animals and public records. The bill creates a public record exemption for the personal information of persons who foster, adopt, or otherwise receive legal custody of an animal from an animal shelter or animal control agency. The public records exemption would stand repealed on October 2, 2028, unless it is reenacted by the Legislature under the Open Government Sunset Review Act.

Section 2 provides a statement of public necessity which is to shield those seeking to adopt and foster animals from the potential stalking, harassment, and intimidation from the animals' previous owners. The bill also provides that the need to protect the personal information of those seeking to adopt and foster animals overrides the state's public policy of open government.

Section 3 provides that this act shall take effect July 1, 2023.

²⁹ Section 823.15(2)(a)2., F.S.

³⁰ Section 823.15(2)(a)3., F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill creates an exemption, thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. This bill creates an exemption, thus, the bill require a two-thirds vote to be enacted.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The exemption in the bill does not appear to be broader than necessary to accomplish the purpose of the law.

\sim	Truct	Eunda	Dootriction
U.	Hust	Funus	Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C.	Government	Sector	Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 823.15 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator DiCeglie

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18-00607-23 2023518

A bill to be entitled
An act relating to public records; amending s. 823.15,
F.S.; providing an exemption from public records
requirements for records containing certain
information pertaining to persons with legal custody
of an animal from an animal shelter or animal control
agency operated by a local government; providing for
future legislative review and repeal of the exemption;
providing a statement of public necessity; providing
an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 823.15, Florida Statutes, is amended to read:

823.15 Public or private animal agencies; sterilization required for dogs and cats released; recordkeeping requirements; microchipping; public records exemption.—

(1) The Legislature has determined that the importation of dogs and cats into, and the uncontrolled breeding of dogs and cats in, this state pose risks to the well-being of dogs and cats, the health of humans and animals, and the agricultural interests in this state. Importation of dogs and cats from outside the United States could result in the transmission of diseases that have been eradicated in the United States to dogs and cats, other animals, and humans living in this state. Uncontrolled breeding results in the birth of many more puppies and kittens than are needed to provide pet animals to new owners or to replace pet animals that have died or become lost. This

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18-00607-23 2023518 leads to many dogs, cats, puppies, and kittens being unwanted, becoming strays and suffering privation and death, being 32 impounded and destroyed at great expense to the community, and constituting a public nuisance and public health hazard. It is therefore declared to be the public policy of the state that 35 every feasible means be used to reduce the incidence of birth of unneeded and unwanted puppies and kittens. Determining which programs result in improved adoption rates and in reduced euthanasia rates for animals in shelters and animal control 38 39 agencies is crucial to this effort. 40 (2) (a) Each public or private animal shelter, humane organization, or animal control agency operated by a humane organization or by a county, municipality, or other incorporated 42 political subdivision, shall prepare and maintain the following records and make them available for public inspection and

1. The total number of dogs and cats taken in by the animal shelter, humane organization, or animal control agency, divided into species, in the following categories:

dissemination for the 3 preceding years. The following data must

will be available on a monthly basis, commencing July 31, 2013:

- a. Surrendered by owner;
- b. Stray;

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- c. Impounded;
- d. Confiscated;
 - e. Transferred from within Florida;
- f. Transferred into or imported from out of the state; and
 - g. Born in shelter.

Species other than domestic cats and domestic dogs should be

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recorded as "other." 59

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- 2. The disposition of all animals taken in by a public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision, divided into species. These data must include dispositions by:
 - a. Adoption;
 - b. Reclamation by owner;
 - c. Death in kennel;
 - d. Euthanasia at the owner's request;
- e. Transfer to another public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision;
 - f. Euthanasia;
 - g. Released in field/Trapped, Neutered, Released (TNR);
 - h. Lost in care/missing animals or records; and
- i. Ending inventory/shelter count at end of the last day of the month.
- 3. A public or private animal shelter, humane organization, or animal control agency operated by a humane society, or by a county, municipality, or other incorporated political subdivision which routinely euthanizes dogs based on size or breed alone must provide a written statement of such policy. Dogs euthanized due to breed, temperament, or size must be recorded and included in the calculation of the total euthanasia percentage.
- (b) Records of a public animal shelter, humane organization, or animal control agency operated by a humane

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society must be made available to the public pursuant to provisions in chapter 119.

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- (3) In furtherance of this policy, provision must shall be made for the sterilization of all dogs and cats sold or released for adoption from any public or private animal shelter or animal control agency operated by a humane society or by a county, city, or other incorporated political subdivision, by either:
- (a) Providing sterilization by a licensed veterinarian before relinquishing custody of the animal; or
- (b) Entering into a written agreement with the adopter or purchaser guaranteeing that sterilization will be performed within 30 days or prior to sexual maturity. The shelter or animal control agency shall require a sufficient deposit from the adopter or purchaser, which deposit must shall be refundable upon presentation to the shelter or animal control agency of written evidence by the veterinarian performing the sterilization that the animal has been sterilized. The deposit or donation may be based upon recommended guidelines established by the Florida Federation of Humane Societies. Failure by either party to comply with the provisions of this paragraph is shall be a noncriminal violation as defined in s. 775.08(3), punishable by a fine, forfeiture, or other civil penalty, and, in addition thereto, the deposit or donation shall be forfeited to the shelter or animal control agency. Any legal fees or court costs used for the enforcement of this paragraph are the 113 responsibility of the adopter. Upon the request of a licensed veterinarian, and for a valid reason, the shelter or animal control agency must shall extend the time limit within which the animal must be sterilized.

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- (4) All costs of sterilization pursuant to this section must shall be paid by the prospective adopter unless otherwise provided for by ordinance of the local governing body, with respect to animal control agencies or shelters operated or subsidized by a unit of local government, or provided for by the humane society governing body, with respect to an animal control agency or shelter operated solely by the humane society and not subsidized by public funds.
- (5) Employees, agents, or contractors of a public or private animal shelter, a humane organization, or an animal control agency operated by a humane organization or by a county, municipality, or other incorporated political subdivision may implant dogs and cats with radio frequency identification microchips as part of their work with such public or private animal shelter, humane organization, or animal control agency.
- (6) Notwithstanding s. 474.2165, employees, agents, or contractors of a public or private animal shelter, a humane organization, or an animal control agency operated by a humane organization or by a county, municipality, or other incorporated political subdivision may contact the owner of record listed on a radio frequency identification microchip to verify pet ownership.
- (7) The names and e-mail addresses, as well as the home addresses and telephone numbers as those terms are defined in s. 119.071(4)(d), of persons who foster, adopt, or otherwise receive legal custody of an animal from an animal shelter or animal control agency operated by a county, municipality, or other incorporated political subdivision in any record relating to such animal and held by the shelter or agency are exempt from

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146	s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
147	This subsection is subject to the Open Government Sunset Review
148	Act in accordance with s. 119.15 and shall stand repealed on
149	October 2, 2028, unless reviewed and saved from repeal through
150	reenactment by the Legislature.
151	Section 2. The Legislature finds that, as reflected in s.
152	823.15(1), Florida Statutes, it is an important public policy of
153	the state to encourage the fostering, adoption, and transfer of
154	animals and to reduce euthanasia rates for animals in animal
155	shelters and animal control agencies. Although such shelters and
156	agencies are motivated to find new homes or placements for
157	animals in their custody, potential fosterers, adopters, and
158	other persons considering receiving legal custody of animals may
159	become discouraged from fostering, adopting, or receiving legal
160	custody of the animals if the prior owners who lost or
161	surrendered legal custody of the animals, or who did not reclaim
162	the animals within the applicable time periods, can obtain the
163	personal identifying information of fosterers, adopters, and
164	other persons receiving legal custody of animals and attempt to
165	regain legal custody of the animals from such persons. The
166	Legislature finds that the stalking, harassment, and
167	intimidation of animal fosterers, adopters, and other persons
168	receiving legal custody of animals by prior animal owners, as
169	well as prior animal owners' theft of animals from such persons,
170	are threats to public safety and welfare and to the sanctity of
171	private property, the family, and the home. The Legislature
172	therefore finds that it is a public necessity that the names,
173	home addresses, e-mail addresses, and telephone numbers of
174	persons who foster, adopt, or otherwise receive legal custody of

Page 6 of 7

	18-00607-23 2023518
175	an animal from an animal shelter or animal control agency
176	operated by a county, municipality, or other incorporated
177	political subdivision in any record relating to such animal and
178	held by such shelter or agency be made exempt from s. 119.07(1),
179	Florida Statutes, and s. 24(a), Article I of the State
180	Constitution. The Legislature further finds that the need to
181	protect the names, home addresses, e-mail addresses, and
182	telephone numbers of animal fosterers, adopters, and other
183	persons receiving legal custody of animals is sufficiently
184	compelling to override the state's public policy of open
185	government and that the protection of such information cannot be
186	accomplished without this exemption.
187	Section 3. This act shall take effect July 1, 2023.

Page 7 of 7

The Florida Senate

ADDEADANCE RECORD

03 06 2023 Meeting Date				APPEAR	ANCER	RECORD SB 518		
				Deliver both copies of this form to Senate professional staff conducting the meeting				Bill Number or Topic
***************************************	Committee		-				050	Amendment Barcode (if applicable)
Name	Jen Hobgood,	Ph.D				Phone	850.	445.5245
Address	PO Box 18078	84				Email	jen.h	nobgood@aspca.org
	Street Tallahassee		FL		32318			
	City		State		Zip			
	Speaking: For	Aga	ainst [Information	OR v	Vaive Spea	king: [In Support
				PLEASE CHECK	K ONE OF THE	FOLLOWI	NG:	
I am appearing without compensation or sponsorship.			l am a registered lobbyist, representing:				l am not a lobbyist, but received something of value for my appearance	
			SI SI		ociety for the nimals (ASP		on of	(travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

The Florida Senate APPEARANCE RECORD Bill Number or Topic Meeting Date Deliver both copies of this form to Senate professional staff conducting the meeting Amendment Barcode (if applicable) **Email** State OR Information Waive Speaking: Speaking: Against PLEASE CHECK ONE OF THE FOLLOWING: I am not a lobbyist, but received

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

I am a registered lobbyist,

representing:

This form is part of the public record for this meeting.

I am appearing without

compensation or sponsorship.

S-001 (08/10/2021)

something of value for my appearance

(travel, meals, lodging, etc.),

sponsored by:

	- /	The Florida Senate	00 610
	3/6/23	APPEARANCE RECORD	Bill Number or Topic
	Senate Agricultural	Deliver both copies of this form to Senate professional staff conducting the meeting	
-	Committee		Amendment Barcode (if applicable)
N	ame Gerard O'Rou	// Phone	561-346-9859
A	ddress 3250 NE (SF	Ave anif 305 Email	gerard @ converge public.
	Miani Fl City State	33137 Zip	Reset Form
		Information OR Waive Speaking	g: In Support Against
		PLEASE CHECK ONE OF THE FOLLOWING:	:
Acceptancy (States Co.)	I am appearing without compensation or sponsorship.	I am a registered lobbyist, representing: Palm Beach County	I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
STORE		I WIIN DEUVI COUNT)	у

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

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		141			

Rill Number or Topic

I am appearing without compensation or sponsorship.	PLEASE CHECK ONE OF THE FO	DLLOWING	I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
Loyala tcher A City State Speaking: For Against [Zip Zip Information OR Wait	ve Speakin	g:In Support Against
Address 6521 Carol St		Email	Barkypines agmad
Name Elizabeth Accor	nante	Phone	Amendment Barcode (if applicable) 561 4021451
Meeting Date	Deliver both copies of this forr Senate professional staff conducting t		DIII Namber of Topic

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

The Florida Senate BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

	Prepa	ared By: Th	ne Professional	Staff of the Commit	ee on Agriculture		
BILL:	SB 674						
INTRODUCER:	Senator Har	rrell					
SUBJECT:	Food Recovery						
DATE:	March 3, 20	023	REVISED:				
ANAL	YST	STAF	F DIRECTOR	REFERENCE	A	CTION	
1. Burse		Becker	r	AG	Pre-meeting		
2				AEG			
3				FP			

I. Summary:

SB 674 directs the Department of Agriculture and Consumer Services (department), subject to legislative appropriation, to implement a pilot program to provide incentives to agricultural companies to sell fresh food products to food recovery entities. The bill authorizes food recovery entities to negotiate the price for fresh food products and reimburse agricultural companies for certain costs. The bill provides shipping requirements and requires the department to reimburse food recovery entities for certain costs.

The bill directs the department to submit a report on the pilot program, including recommendations for legislation, to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2024. The bill grants the department rulemaking authority for the pilot program.

This bill takes effect July 1, 2023.

II. Present Situation:

S. 595.420, F.S., provides legislative intent and powers of the Department of Agriculture and Consumer Services (department) regarding food recovery. The Legislature finds that millions of pounds of surplus and slightly blemished fruits and vegetables are destroyed each year, while many Floridians go without food. The Legislature further finds that the state, through the Commissioner of Agriculture, should assist food recovery programs, when needed, to aid in their establishment and to support their continued and efficient operation. In helping to coordinate the establishment of food recovery programs, the department may: identify suppliers, volunteers, and nonprofit organizations in the community to ascertain the level of interest in establishing a food

¹ Section 595.420(1)(a), F.S.

² Section 595.420(1)(c), F.S.

BILL: SB 674 Page 2

recovery program; provide facilities and other resources for initial organizational meetings; and provide direct and indirect support for the fledgling program, upon demonstration of serious interest at the local level.³

Approximately one-fifth of Floridians are food insecure, including over one million children. The department's Food Recovery Program works to recover food by working with farmers (volunteers visit the farms and collect surplus produce in a process called gleaning) and by working with schools (the department provides Florida Schools with guidance on food waste audits, share tables, food donations, and composting).⁴

Food distribution programs are funded by the legislature through the FDACS Food Recovery Program. Partnerships for the 2021-2022 fiscal year include:

- Feeding Florida's Farmers Feeding Florida Program, which purchases cosmetically blemished produce from local agricultural producers and provides it to households in need through Feeding Florida's member food banks.
- The Farm Share Program, which provides food free of charge to local community partner
 agencies as well as directly to families, children, senior citizens, and individuals in need to
 address food insecurity throughout the state.
- Feeding South Florida's Senior Grocery Delivery Program, which provides a grocery delivery service for low-income, homebound seniors in Palm Beach, Miami-Dade, and Broward Counties.
- Second Harvest of the Big Bend's Feeding Rural Florida Program, which purchases and distributes fresh, nutritious food to rural North Florida counties.⁵

III. Effect of Proposed Changes:

SB 674 directs the department to implement a pilot program to provide incentives to agricultural companies to sell fresh products to food recovery entities. It creates definitions for "agricultural company," "food recovery entity," "fresh food products," and "harvest ship window."

Subject to appropriation, the bill directs the department to implement a pilot program to incentivize agricultural companies to sell fresh food products with a goal of 100 million pounds sold annually. The bill authorizes food recovery entities to negotiate the price for fresh food products and reimburse agricultural companies for certain costs. The bill also provides shipping requirements and requires the department to reimburse food recovery entities for certain costs.

This bill requires the department submit a report on the pilot program, including recommendations for legislation, to the Governor, President of the Senate, and Speaker of the House of Representatives, by January 1, 2024.

This act shall take effect July 1, 2023.

³ Section 595.420(3), F.S.

⁴ Florida Department of Agriculture and Consumer Services Food Recovery Program see https://www.fdacs.gov/Food-Nutrition/Nutrition-Programs/Food-Recovery-Program (last visited February 17, 2023).

⁵ Id.

BILL: SB 674 Page 3

IV. Constitutional Issues:

A.	Municipality/County Mandates Restrictions:
	None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 595.420 of the Florida Statutes.

BILL: SB 674 Page 4

IX. **Additional Information:**

Committee Substitute – Statement of Changes: (Summarizing differences between the Committee Substitute and the prior version of the bill.) A.

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

Florida Senate - 2023 SB 674

By Senator Harrell

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31-01492-23 2023674

A bill to be entitled An act relating to food recovery; amending s. 595.420, F.S.; defining terms; directing the Department of Agriculture and Consumer Services, subject to legislative appropriation, to implement a pilot program to provide incentives to agricultural companies to sell fresh food products to food recovery entities; authorizing food recovery entities to negotiate the price for fresh food products and reimburse agricultural companies for certain costs; providing shipping requirements; requiring the department to reimburse food recovery entities for certain costs; providing reimbursement invoice requirements; requiring the department to submit a report to the Governor and Legislature by a specified date and to adopt rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

20 Section 1. Subsection (8) is added to section 595.420, 21 Florida Statutes, to read:

 $595.420\ {\rm Food\ recovery;}\ {\rm legislative\ intent;}\ {\rm department}$ functions.—

(8) (a) As used in this subsection, the term:

- "Agricultural company" means a fresh food products producer in the state that uses a licensed shipping facility.
- 2. "Food recovery entity" means a nonprofit association engaged in food recovery and distribution that has been in operation in the state for at least 10 years and has received a

Page 1 of 4

CODING: Words $\underline{\textbf{stricken}}$ are deletions; words $\underline{\textbf{underlined}}$ are additions.

Florida Senate - 2023 SB 674

31-01492-23

minimum of 10 million pounds of perishable fresh food products

annually for at least 3 years.

3 "Fresh food products" means high-quality United States

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- 3. "Fresh food products" means high-quality, United States
 Department of Agriculture grade 1 standard fresh fruits,

 vegetables, proteins, and dairy produced by an agricultural
 company.
- 4. "Harvest ship window" means the number of days within which a fresh food product can be shipped after harvest and meet the United States Department of Agriculture grade 1 standard.
- (b) Subject to legislative appropriation, the department shall implement a pilot program to provide incentives to agricultural companies to sell fresh food products to food recovery entities. The goal of the pilot program is to have 100 million pounds of fresh food products sold to food recovery entities annually.
- (c) 1. To provide an incentive to agricultural companies to sell fresh food products to food recovery entities at a discounted price, a food recovery entity may negotiate the price per box or pound for fresh food products and reimburse an agricultural company for all or part of the costs relating to harvesting, precooling, packaging, and delivering fresh food products from the farm to the licensed shipping facility. The fresh food products must meet the United States Department of Agriculture grade 1 standard and must be shipped within the harvest ship window.
- 2. The harvest ship window for fresh food products is 7 days unless the food recovery entity chooses to extend the window for a specific fresh food product on a case-by-case basis. The harvest ship window may be extended by the food

Page 2 of 4

CODING: Words stricken are deletions; words underlined are additions.

Florida Senate - 2023 SB 674

31-01492-23 2023674 recovery entity based on the expected shelf life of a particular fresh food product as long as the extended window will not affect the United States Department of Agriculture grade 1 standard for shipping the product. The food recovery entity must provide notice of an approved extended harvest ship window to the agricultural company in writing, which may be delivered by e-mail.

- 3. The invoice provided by the agricultural company or the licensed shipping facility must include all of the following information:
- a. A signed statement that the fresh food products shipped to the food recovery entity meet the harvest ship window.
- b. Any written approval by the food recovery entity to extend the harvest ship window.
 - c. The shipment order number.

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- d. The harvest and shipment dates for each fresh food product.
- 4. The agricultural company or the licensed shipping facility must maintain records of fresh food product shipments to food recovery entities under the pilot program for 2 years after the shipment date.
- 5. Fresh food products from an agricultural company or licensed shipping facility may be shipped to a food recovery entity in packaged food boxes or bulk shipments and distributed by the food recovery entity in boxes or in bulk as deemed practical for food safety and packaging.
- (d) The department shall reimburse food recovery entities on a dollar-for-dollar basis for the purchase of discounted fresh food products from agricultural companies plus a 10 cents

Page 3 of 4

CODING: Words stricken are deletions; words underlined are additions.

Florida Senate - 2023 SB 674

	31-01492-23 2023674_						
88	per box distribution reimbursement. To receive the						
89	reimbursements, a food recovery entity must submit an invoice a						
90	prescribed by the department, which includes, at a minimum, the						
91	following information:						
92	1. Name and city of the agricultural company.						
93	2. Name and city of the licensed shipping facility.						
94	3. Shipment date.						
95	4. Date the shipment was received.						
96	5. Harvest date for each fresh food product.						
97	6. Packaging type and size used for each fresh food						
98	product.						
99	7. Total units or pounds for each fresh food product.						
100	8. Total price per box or pound for each fresh food						
101	product.						
102	9. Total invoice price paid.						
103	(e) The department shall submit a report on the pilot						
104	program, including recommendations for legislation, to the						
105	Governor, the President of the Senate, and the Speaker of the						
106	House of Representatives by January 1, 2024.						
107	(f) The department shall adopt rules to implement this						
108	subsection.						
109	Section 2. This act shall take effect July 1, 2023.						

Page 4 of 4

CODING: Words stricken are deletions; words underlined are additions.

	1/22			e Florida Ser			SR GW
3	616		APPEA	RANCE I	RECORD	_	30 619
^	Meeting Date			r both copies of this			Bill Number or Topic
+10	1 culture		Senate profes	sional staff conducti	ng the meeting		
Name	Committee	SCALA			Phone	50) 4	Amendment Barcode (if applicable) 8 7 - 069 7
Address	100	S Monroe	St		Email	jsca	la@fl-countres.com
	Street Tallahassee	FL	-	37301			
	Speaking:	State For Against	Informatio	zip n OR	Waive Speakin	ng: 🗹 In S	Support Against
			PLEASE CHE	CK ONE OF THE	FOLLOWING	i:	
1 1	m appearing without mpensation or sponsor	ship.	I am a re represer	gistered lobbyist, nting:	C		I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.),
	Florida	n H55a	Satton	ct	Coun	tilg	sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)



UF | IFAS Extension University of FLORIDA





4-H is the youth development program of Cooperative Extension.

4-H is administered by UF/IFAS Extension and FAMU in partnership with local county governments.





4-H provides hands-on educational programs and experiences for youth ages 5-18 with the objective to develop young people as individuals and responsible citizens.





DELIVERY MODES



Community Clubs, Schools, Camps



PROGRAM AREAS



Citizenship/Leadership, STEM, Agriscience, Healthy Living



STATEWIDE DATA

150,000+

Florida 4-H youth outreach

7,000+ Adult and Youth Volunteers

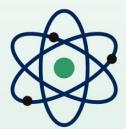
Counties + Seminole Tribe



WHY IS 4-H VALUABLE TO YOUTH?



85% more comfortable speaking in front of a crowd



90% develop an interest in learning



86%develop interest in community service



86%develop decision-making skills



89% develop self-confidence



97% learn new skills

SOURCE: 2020/21 4-H SURVEY OF MEMBERS AND FAMILES CONDUCTED BY DR. KEITH DIEM, UF/IFAS







TAYLOR THIGPEN

Clay County Florida 4-H State Council Vice President

SOUTHERN REGION TEEN LEADERSHIP CONFERENCE (SRTLC)



- 4-H conference created to bring together 4-H teens and adults to empower and inspire them to make a positive change across the southern region of the US through youth-adult partnerships
- 50+ youth from Florida attend each year amongst
 300+ youth from 13 states
- Three (3) youth selected from Florida to participate with five (5) southern states to coordinate the event alongside adult partners



FROM 4-H GATOR PIT TO PLANT KING USA



- Students taught how to transform an idea into a viable business through education, mentorship, participation in a pitch competition, and ongoing connection to the business community and their peers
- Matched with entrepreneurs and business owners to flesh out ideas and develop pitches
- Winning entry receives start up funds of \$1,000







TORYE SORRELLS

Walton County Florida 4-H Space Ambassador

4-H IN SPACE: GO FOR LAUNCH!



- Grant-funded between 4-H, Higher Orbits &
 International Space Station National Laboratory
 Center for the Advancement of Science in Space
- Youth from four (4) land-grant university 4-H programs
- Week at Kennedy Space Center/Port Canaveral
- Designed experiments to send into space alongside real astronauts, many ag-focused
- Winning experiment scheduled to launch into space this month
- Florida participants delivered space science outreach to 641 youth in their communities





WHERE 4-H IS HEADED



- 1. Continue to empower youth to find their sparks and build their future careers.
 - a. Florida 4-H WorkReady grant-funded program by USDA, delivered by UF and FAMU 4-H programs to certify 4-H youth in ag career credentials.
- 2. Increase reach across the state to 300,000 youth (approximately 10% of the age eligible population).
- 3. Improve facilities at our three 4-H Camps to engage more youth in year-round agriculture and environmental education programs, including raising \$3.5 million for ADA accessible cabins at 4-H Camp Cherry Lake in Madison.





UF | IFAS Extension UNIVERSITY of FLORIDA



The Florida Senate **APPEARANCE RECORD**

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Rill Number or Topic

Name	Ser Committee	ate	; ((e) 5_		oth copies of t nal staff condu	this form to acting the meeting Phone	Amendment Barcode (if applicable) $50 - 419 - 4129$
Address	Street					Email	
	City Speaking: [For	State Against	Information	Zip OR	Waive Speaking:	☐ In Support ☐ Against
	n appearing without npensation or spons				tered lobbyis	HE FOLLOWING: t,	I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting) Bill Number (if applicable) Amendment Barcode (if applicable) Name Job Title Information In Support Waive Speaking: For Against Speaking: (The Chair will read this information into the record.) Representing Appearing at request of Chair: Lobbyist registered with Legislature: No While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

S-001 (10/14/14)

This form is part of the public record for this meeting.



TECHNOLOGICAL





ADVANCES IN AG

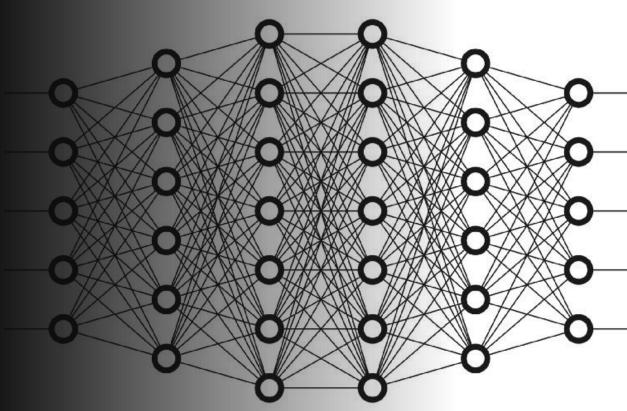
Precision Agriculture



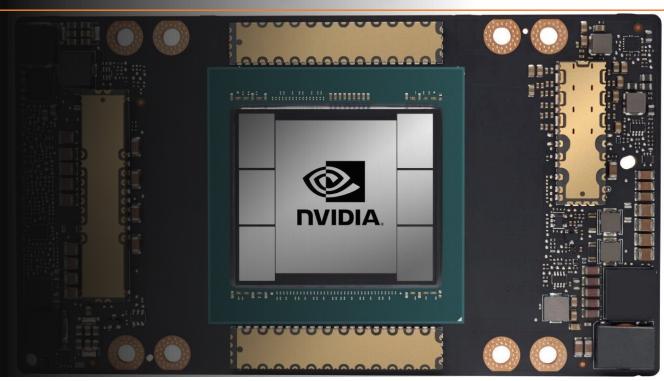
PRECISION SPRAYING IN CITRUS



And then...



...everything changed



Artificial Intelligence to the rescue







After ~4,000 iterations with StyleGAN3



Real Image

Synthetic Image





Strawberry and Tomato Yield Forecasting (Dr. Dana Choi)



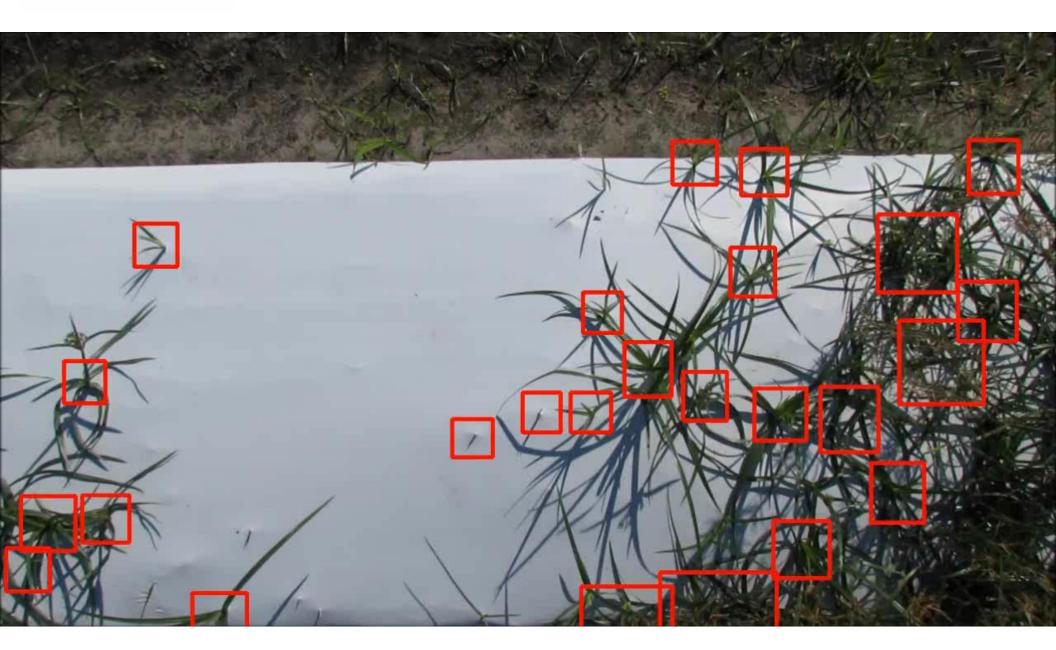




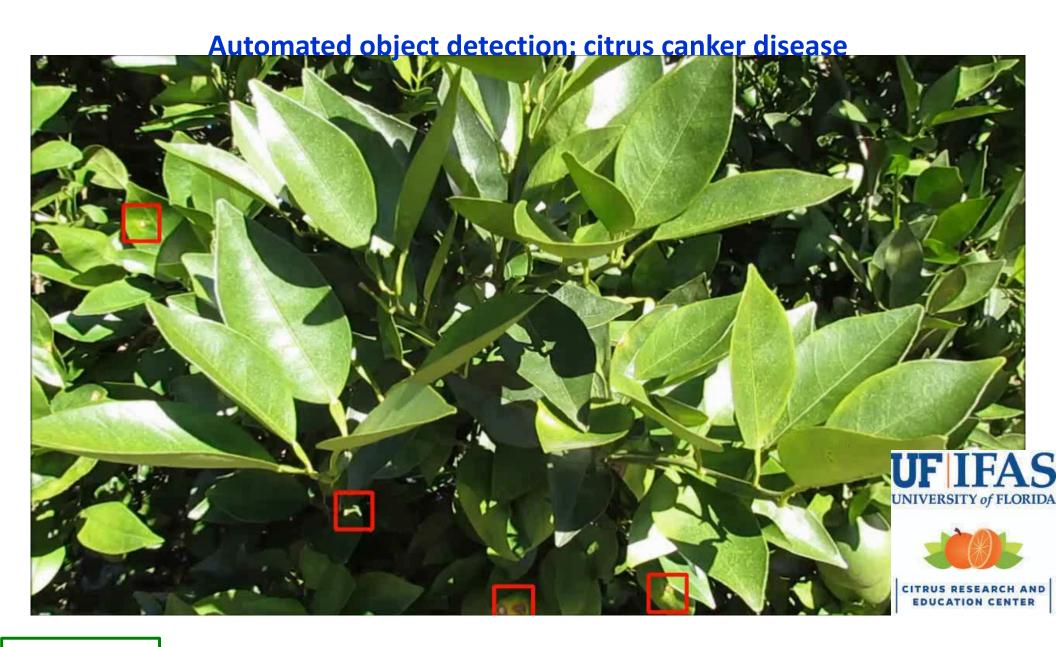
Dr. Shaun Sharpe



Nutsedge Detection



Dr. Arnold Schumann



Automated object detection: Asian citrus psyllid detection



Two-Spotted Spider Mite Detection Using Al and a Smartphone

Dr. Wonsuk "Daniel" Lee



Al-Based Smartphone Apps for Leaf Symptom Diagnosis

Arnold Schumann CREC, UF/IFAS





Mg Mn Zn Fe



May 12, 2021 Florida Citrus Show







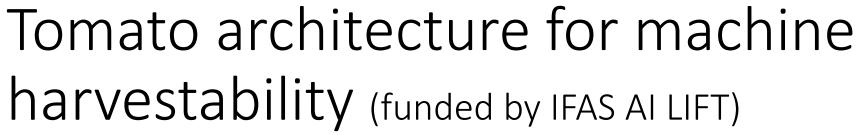


Herbicide reduction: 44%





Dr. Amr Abd-Elrahman / Dr. Vance Whitaker













Center for Applied Artificial Intelligence

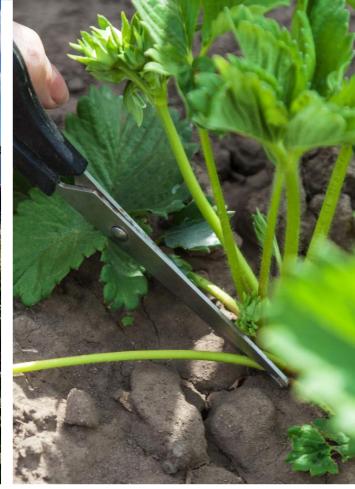
Center for Applied Artificial Intelligence











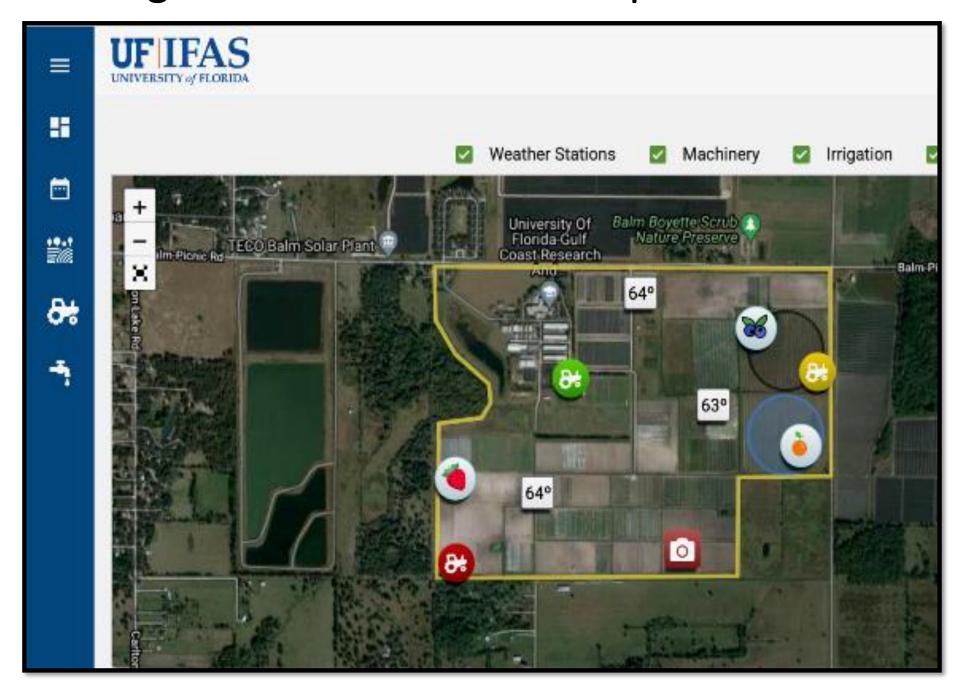
Labor

Automation





Data Integration for Actionable Outputs







Center for Applied Artificial Intelligence



Thank you!



Nathan S. Boyd, PhD

Gulf Coast Research and Education Center 14625 CR 672, Wimauma, FL, 33598

Phone: 813-419-6613 email: nsboyd@ufl.edu

The Florida Senate

APPEARANCE RECORD

TAB 5

00 06 25	APPEANAILE	NECOND	
Aa Sanate	Deliver both copies of thi Senate professional staff conduct		Bill Number or Topic
Committee	1		Amendment Barcode (if applicable)
Name Nathan Boyd		Phone g	270-4010
Address 14625 County	Road 672	Email	boyd Olufledu
Wimauma FL City Stat	0000		
Speaking: For Against	Information OR	Waive Speaking:	In Support Against
	PLEASE CHECK ONE OF TH	E FOLLOWING:	
I am appearing without compensation or sponsorship.	I am a registered lobbyist, representing:		I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

113/01/23

S-001 (08/10/2021)

	The Florida Sen	ate		
3 -2023	APPEARANCE R	RECORD		
Meeting Date Servet	Deliver both copies of this Senate professional staff conductir		Bill Number or Topic	
Name Decky Sponh	oltz	Phone35	Amendment Barcode (if applicable) 2 - 846-1391	
Address 1352 Sabal Pali	M DY	_ Email _ Sp(on hott & Cagtago	
Carpesville Fr	326N Zip	_	019	
Speaking: For Against	Information OR V	Vaive Speaking:] In Support	
PLEASE CHECK ONE OF THE FOLLOWING:				
I am appearing without compensation or sponsorship.	I am a registered lobbyist, representing:		I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: Honda AS In the	

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S-001 (08/10/2021)





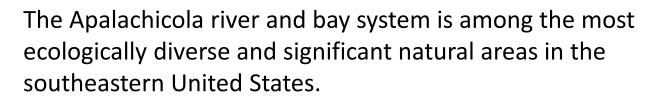
Joel Trexler and Sandra Brooke Coastal & Marine Laboratory Florida State University



ABSI funding: Triumph Gulf Coast, Inc. and FSU

Apalachicola Bay System Initiative (ABSI)







It serves as the central economic pillar of Franklin County, FL. It is now a system imperiled.



Florida State University is dedicated to reversing this trend through the **ABSI** funded in part by the Triumph Gulf Coast Inc.



ABSI Mission

The ABSI seeks to gain insight into the root causes of decline of the bay's ecosystem and the deterioration of oyster reefs. Ultimately, the ABSI will develop a management and restoration plan for the oyster reefs and the health of the bay.

Apalachicola Bay System Initiative (ABSI)







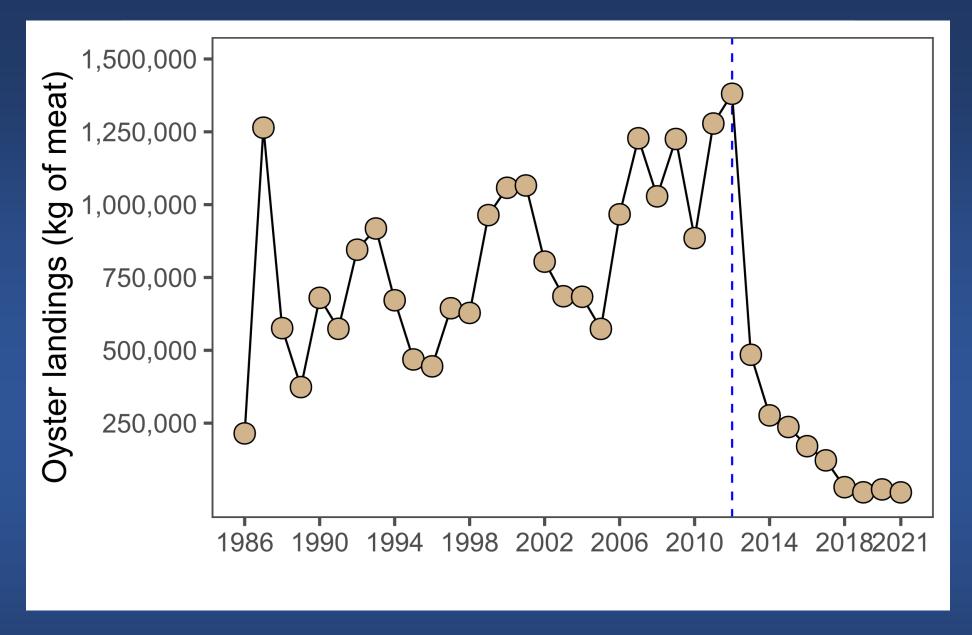


Development and implementation of Management and Restoration Plan

- Engagement with stakeholders, agencies, and university partners
- Community Advisory Board (CAB)

Research

- Causes of decline of the bay's ecosystem and the deterioration of oyster reefs
- Restoration strategies
- Hatchery to produce larvae for laboratory and field experiments related to restoration



2013: Apalachicola Bay Oyster fishery declared a federal fishery disaster 2020: FWC closed Apalachicola Bay Oyster Fishery for 5 years

WHAT HAPPENED?

REDUCED RIVER FLOW

INCREASED SALINITY

INCREASED PREDATORS, PARASITES AND DISEASE

INCREASED MORTALITY, ESPECIALLY JUVENILES

RECRUITMENT FAILURE



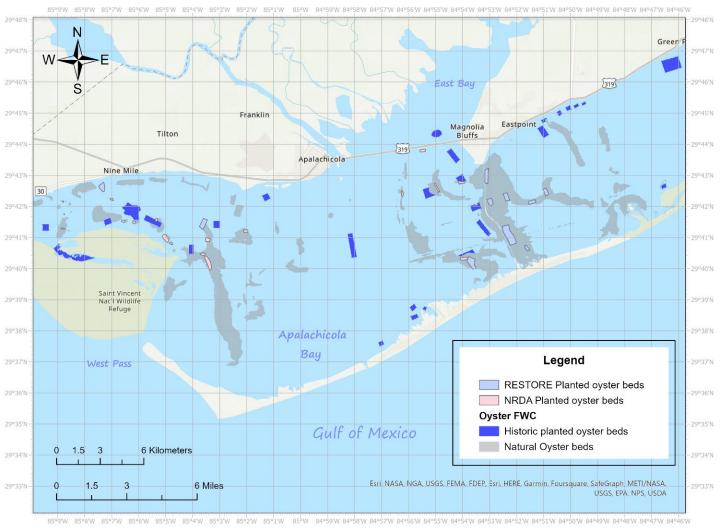
SHELL REMOVAL NO RE-SHELLING

HABITAT LIMITATION

OYSTER POPULATION COLLAPSE

Numerous Restoration Efforts in the Past

Generally unsuccessful or less successful than desired NRDA planted oysters most successful Consensus view we need to improve methods





What is the ABSI doing to address these issues?



Working closely with State agencies (FWC, DEP, FDACS) to support efforts for improved restoration approaches and management

Suite of biological and ecological studies include:

- habitat mapping
- hydrological modeling
- monitoring existing oyster resources
- restoration experiments
- re-shelling program development
- oyster hatchery and stock enhancement program
- community advisory board

SUB~TIDAL OYSTER POPULATIONS

Subtidal surveys using tongs, 6 samples per site

Volume: Rock, dead shell, live oysters

Counted: spat, adults, market, boxes

Measured: live oysters (<25, 25-76, >76)

2020-2021 124 sites

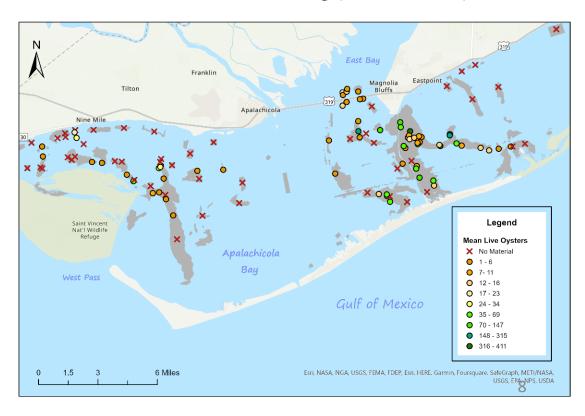
2021-2022 121 sites

2022-2023 200 planned, ongoing





Sub-tidal Monitoring (2021 - 2022)



SUB~TIDAL OYSTER POPULATIONS TONGING SURVEY VISITED 121 SITES IN 2021/2022



West Bay 12 sites w/ market sized oysters

- 75% have <6 MS oysters per six tong samples
- >60% no oysters of any size

East Bay 18 sites w/ market sized oysters

- 28% have <6 MS oysters per six tong samples
- 37% no oysters of any size

Overall

32% of locations on historical bars lacked substrate suitable for oyster settlement

95% of all spat was on limerock (artificially restored reefs)

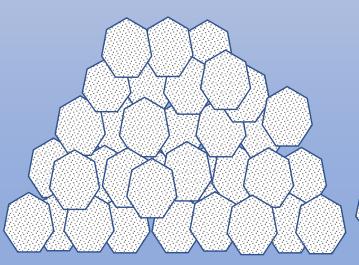
Restoration Experiments

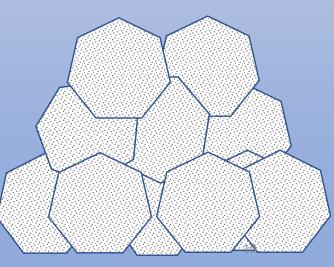
Objective: Identify <u>best locations, materials</u> <u>and height</u> for restoration success

Materials

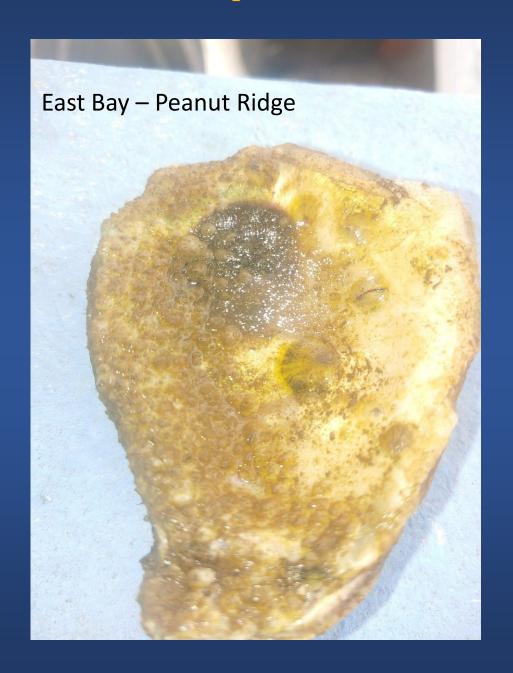
- Natural Shell
- Small Limerock (1.5-2.5")
- Medium Limerock (5-8")
- Concrete (4-6")





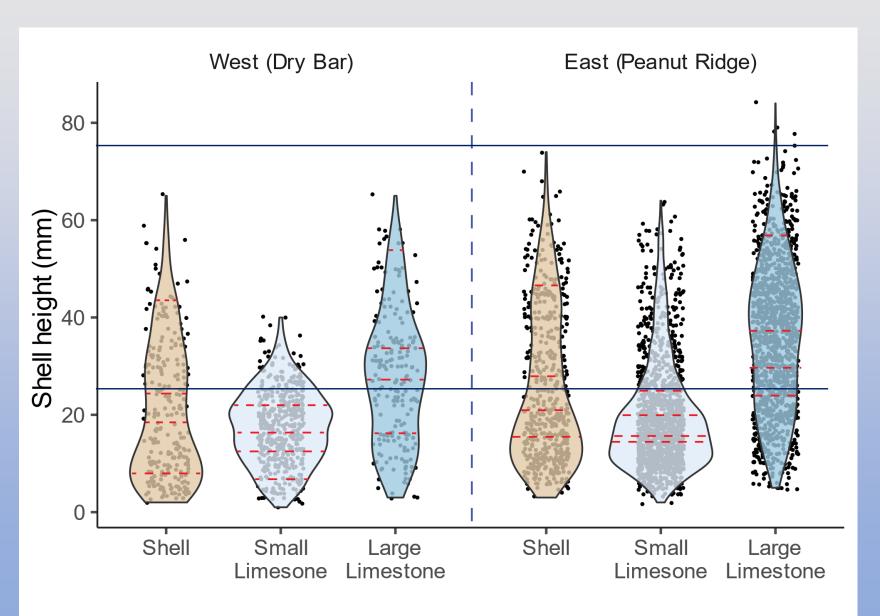


Shells from experiments on Peanut Ridge and Dry Bar June 23rd





Restoration reefs – 14 months post-deployment Shell Height where 75mm is minimum for harvest

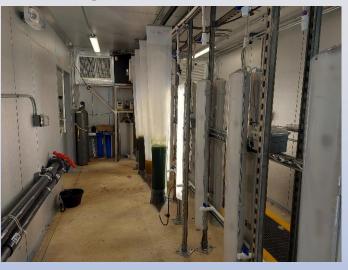


ABSI Hatchery

Algal stock cultures



Algal culture room



Spawning racks





Broodstock room



Larval tanks



Setting tanks

Enhancement of recruitment on restoration sites using hatchery oysters

Objectives:

- Assess the efficacy of using hatchery produced juveniles (spat-on-shell) to enhance spat levels and significantly increase market sized oysters above bare shell controls. Use ABSI restoration reefs as experiment sites.
- Investigate other methods of recruitment enhancement such as larger hatchery juveniles to encourage gregarious settlement on newly restored substrate
- Develop stock enhancement methods for large scale restoration.





COMMUNITY ENGAGEMENT



Community Advisory Board
Oystermen's workshops
Public presentations
Annual open house
Shell recycling program
Hatchery Internships
Educational programs







COMMUNITY ADVISORY BOARD (CAB)



Board Members

- 5 Non-profit organization
- 4 Seafood industry
- 4 Business
- 3 Local government
- 3 State Government
- 3 Federal government
- 2 Other

The CAB is tasked with developing recommendations - <u>informed by science and stakeholder experiences</u> - for the Apalachicola Bay System Management and Restoration Plan <u>and</u> to ensure there is a mechanism for the Plan implementation

23 CAB meetings since October 2019 4 in~person oystermen's workshops

Priorities for the future

- 1. Support for a re-shelling and shell recycling program
- 2. Support for monitoring
- 3. Support of stock enhancement program
- 4. Support for re-shelling reefs after initial restoration



The Florida Senate

3/6/2023 APPEARA	NCE RECORD
	copies of this form to Eaff conducting the meeting
Name Toe Trexlev	Amendment Barcode (if applicable) Phone 305-926-9181
Address 1735 Surf Road	Email Itvexter Cfsu. edu
Pahacea FL 323 City State Zip	46
Speaking: For Against Information	OR Waive Speaking: In Support Against
PLEASE CHECK ON	IE OF THE FOLLOWING:
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S-001 (08/10/2021)



Senate Agriculture Committee
Farming Reimagined for the 21st Century

March 6, 2023

1



CAFS Academic Programs

FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY

Bachelor's Degree

- Agribusiness
- Agricultural Sciences Majors:
 - Agronomy
 - > Animal Science
 - > Entomology
 - Veterinary Technology
- Agroecology
- Biological SystemsEngineering
- Food Science

Doctoral Degree

- Doctoral Degree (Joint Program with University of Florida)
 - Entomology

Master's Degree

- > Agricultural Sciences Majors:
 - Agribusiness
 - Entomology
 - Plant Science
 - Soil and Water Sciences

International Agriculture

- International Agriculture Research, Outreach, and Development
- International Education (Study Abroad) and Exchange Program





CAFS Research Programs

Center for Viticulture and Small Fruit (1978)

Goal: Conduct basic and applied research and provide service to promote development of viticulture industry in Florida.

Center for Biological Control (1999)

Goal: Development of ecologically based integrated pest management and management and mitigation of invasive alien species.

Center for Water Resources (1998)

Goal: Protect, improve, restore and maintain Florida's water resources through research, education, extension and technology transfer.

Brooksville Agricultural and Environmental Research Station (2015)

Goal: Conduct innovative agricultural, livestock, and natural resources research, as well as outreach and extension services that will further the land-grant mission.

USDA Florida Forest Watershed Research Program

Goal: Enhance natural resources science research, education, and outreach at FAMU to better understand sustainable watersheds in the coastal plain region.



2023 Agricultural Research and Outreach Projects

Climate Smart

- Impact on Socially Disadvantaged Farmers and Landowners
- Impact on Watershed Management, Inland and Coastal Aquatic Ecosystems and Terrestrial Environment
- Impact of Industrial Hemp, Chestnut and Soil Microalgae as High Efficiency Carbon Sequestration
- > (CASFER) Sustainable Food Production by Developing Next Generation Efficient Technology for Capturing, Recycling, and Producing Nitrogen Based Fertilizers

Soil and Water

- Emerging Concerns of Contaminants in Water Resources
- Pollution Impact on Lake Munson Community
- > Assessing Soil Microbial Properties for Soil Health





2023 Agricultural Research and Outreach Projects

Agriculture and Food Production

- Genomic Assisted Breeding Technologies for Disease Tolerance in Grapes
- Integrated Research Based Pedagogical Practices for Food and Nutrition Education
- Soil Organic Amendments on Crop Production and Soil Carbon Dynamics

Industrial Hemp

Breeding Industrial Hemp (Fiber) for Agricultural and Industrial Applications, and Carbon Sequestration





CAFS Extension Programs

Florida Extension Service (1890 Programs)

Provide research-based educational programs and direct technical assistance with special emphasis on underserved audiences.

4-H Youth Development

Goal: Respond to the needs of Florida's youth by preparing them to successfully face the challenges of adulthood while fostering positive youth-adult relationships.

Family & Consumer Science

Goal: Assist individuals and families make informed decisions about their well-being, relationships and resources to enhance their quality of life.

Agriculture and Natural Resources

Goal: Provide high quality educational programs designed for small-scale agricultural producers allowing them to maintain sustainable and profitable businesses, farms and communities.

Community Resource Development

Goal: Provide educational programming to assist leaders, communities and organizations with initiating and implementing strategic development opportunities to promote community and economic growth.



CAFS Extension Programs















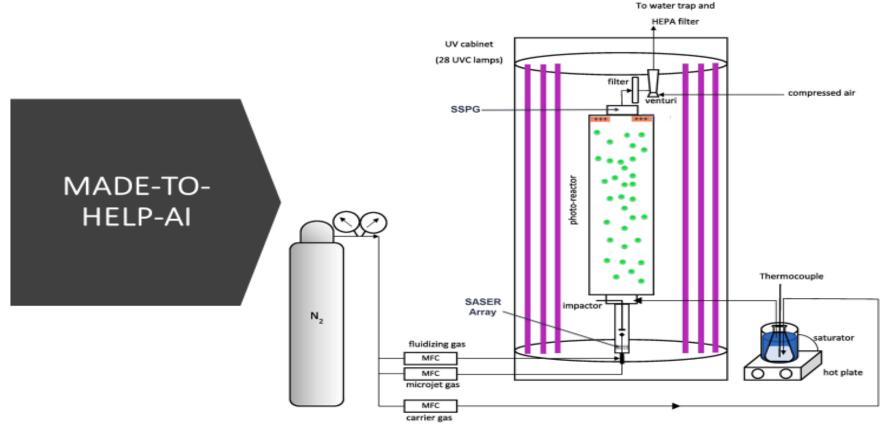






Microwave Assisted Drying and
Encapsulation Through Optimized
Hybrid Electro acoustically Levitated
Photopolymerization
using Artificial Intelligence
(MADE-TO-HELP-AI)







DUPLICATE The Florida Senate 3.6.2023 -imagining Farming for the 21st Century APPEARANCE RECORD Bill Number or Topic Meeting Date Deliver both copies of this form to Agriculture Committee Senate professional staff conducting the meeting Amendment Barcode (if applicable) Committee (850) 599-3546 Vonda Richardson Name vonda.richardson@famu.edu Florida A&M University College of Agriculture Street **Tallahassee** 32307 FI City State Zip Against / Information OR Waive Speaking: In Support Against PLEASE CHECK ONE OF THE FOLLOWING:

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representing:

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S-001 (08/10/2021)

I am not a lobbyist, but received

(travel, meals, lodging, etc.),

sponsored by:

something of value for my appearance

The Florida Senate

APPEARANCE RECORD

Re-imagining Farming for the 21st Century

Bill Number or Topic

Agric	ulture Committe	Sen.	Deliver both copies of this for ate professional staff conducting	
	Committee			Amendment Barcode (if applicable)
Name	Satyanarayan Dev, Ph.D.			Phone (850) 561-2977
Address	Florida A&M U	niversity Colleg	e of Agriculture	Email satyanarayan.dev@famu.edu
	Street			
	Tallahassee	FL	32307	
	City	State	Zip	-
	Speaking: For	Against Info	ormation OR Wa	nive Speaking: In Support Against
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		2	, 3	(travel, meals, lodging, etc.), sponsored by:

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3.6.2023

Meeting Date

S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 301 Case No.: Type: Caption: Senate Committee on Agriculture Judge:

Started: 3/6/2023 3:30:15 PM

Ends: 3/6/2023 5:09:35 PM Length: 01:39:21

- **3:30:14 PM** Meeting called to order by Chair Collins
- **3:31:00 PM** roll call
- **3:31:02 PM** pledge of allegiance
- **3:31:23 PM** Tab 8 is TP'd
- **3:32:02 PM** Tab 3 SB 674 by Sen. Harrell
- 3:32:13 PM Sen. Harrell explains bill
- **3:34:55 PM** Questions?
- 3:34:58 PM Sen. Rouson is recognized
- 3:35:36 PM Sen. Harrell answers
- 3:36:18 PM no other questions
- 3:36:26 PM Jeff Scalla, representing the Fla. Assn. of Counties, waives in support
- 3:36:42 PM Sen. Harrell closes on bill
- **3:37:02 PM** roll call
- **3:37:12 PM** SB 674 is reported favorably
- **3:37:33 PM** SB 518 by Sen. DiCeglie
- 3:37:48 PM Sen. DiCeglie is recognized to explain bill
- **3:39:05 PM** Questions?
- 3:39:07 PM Sen. Thompson is recognized
- 3:39:21 PM Sen. DiCeglie responds
- **3:40:18 PM** Sen. Berman is recognized for a question
- **3:40:38 PM** Sen. DiCeglie responds
- 3:41:09 PM Elizabeth Accomundo waives in support
- **3:41:13 PM** Jen Hobgood, Ph.D, representing ASPCA, waives in support
- **3:41:16 PM** Diana Ferguson, representing the Fla. Animal Control Assn., waives in support
- **3:41:25 PM** Gerard O'Rourke, representing Palm Beach Co., waives in support
- **3:41:32 PM** Sen. Berman is recognized in debate
- **3:42:03 PM** Sen. DiCeglie is recognized to close
- **3:42:31 PM** roll call
- 3:42:34 PM SB 518 is reported favorably
- 3:43:01 PM Tab 4 presentation on Youth Development & Educ'l Opps. by 4-H
- 3:43:41 PM Taylor Thigpen of Clay Co. & Torye Sorrels from Walton Co. are recognized
- **3:44:09 PM** Taylor is a Fla. 4-H State Council VP & Torye is a Walton Co. Fla. 4-H Space Amb.
- **3:55:49 PM** Questions?
- **3:55:51 PM** Sen. Mayfield is recognized for a comment
- **3:56:54 PM** Sen. Berman recognized for a comment
- 3:57:37 PM Sen. Collins offered some comments
- 3:58:13 PM Tab 5 presentation by Dr. Nathan Boyd w/ UF/IFAS, Future Technology of Ag.
- **4:09:35 PM** Questions?
- **4:09:39 PM** Sen. Thompson is recognized
- 4:09:48 PM Dr. Boyd responds
- **4:12:05 PM** follow up by Sen. Thompson
- 4:14:45 PM No discussion
- **4:15:04 PM** Tab 1 SB 292
- **4:15:25 PM** Sen. Jones is recognized to explain bill
- 4:16:20 PM No questions on bill
- 4:16:29 PM Ivonne Fernandez w/ AARP, waives in support
- **4:16:36 PM** Nancy Lawther, Ph.D, waives in support
- **4:16:43 PM** Jeff Scala, Fla. Assn. of Counties, waives in support
- **4:16:46 PM** Amanda Fraser, Amer. Diabetes Assn., waives in support
- **4:16:59 PM** no debate
- 4:17:02 PM Sen. Jones closes
- **4:17:07 PM** roll call

SB 292 is reported favorably 4:17:09 PM Tab 6 - presentation on Fla. Ag. in the Classroom, by Becky Sponholtz 4:17:33 PM 4:22:57 PM Chair Collins adds some comments 4:23:34 PM No questions, no discussion 4:23:43 PM Tab 7 - presentation on Apalachicola Bay System Initiative, by Dr. Joel Trexler, FSU Coastal & Marine Lab Sen. Simon is recognized for questions 4:38:18 PM 4:39:23 PM Dr. Trexler responds back & forth 4:43:59 PM 4:48:46 PM No comments nor discussion Tab 9 - presentation on Farming Re-Imagined for the 21st Century, by FAMU reps. 4:49:02 PM Dr. Robert Taylor, Dean, is first presenter for FAMU 4:50:16 PM 4:57:36 PM Vonda Richardson, Dir. of Cooperative Extension, takes over presentation 5:02:43 PM Dr. Satyanarayan Dev, Ph.D. & Assoc. Prof. of Biological Systems Engineering, takes over presentation 5:08:24 PM no questions nor discussion 5:08:46 PM RAV - Vice Chair Boyd shows affirmative on all 3 bills 5:09:20 PM meeting is adjourned