

Tab 1	SB 732 by Rodriguez (CO-INTRODUCERS) Torres, Taddeo ; (Identical to H 00887) Heat Illness Prevention
Tab 2	CS/SB 1000 by EN, Albritton ; (Similar to H 01291) Nutrient Application Rates
Tab 3	SB 1186 by Albritton ; (Identical to H 00717) Agritourism
Tab 4	SB 1450 by Jones ; (Identical to H 01311) Healthy Food Financing Initiative Program
Tab 5	SB 1656 by Rodriguez ; (Similar to H 01187) School Breakfast Programs
Tab 6	SB 1832 by Brodeur ; (Identical to H 01379) Food Recovery

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Rouson, Chair
Senator Bradley, Vice Chair

MEETING DATE: Wednesday, January 19, 2022
TIME: 8:30—10:00 a.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Rouson, Chair; Senator Bradley, Vice Chair; Senators Ausley, Boyd, Burgess, Perry, Polsky, and Rodriguez

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 732 Rodriguez (Identical H 887)	Heat Illness Prevention; Providing responsibilities for certain employers and employees; providing an exception; requiring employers to provide annual training for employees and supervisors; requiring the Department of Agriculture and Consumer Services, in conjunction with the Department of Health, to adopt specified rules, etc. AG 01/19/2022 Favorable HP RC	Favorable Yeas 7 Nays 0
2	CS/SB 1000 Environment and Natural Resources / Albritton (Similar H 1291, Compare H 1289, S 1612)	Nutrient Application Rates; Defining the terms “certified professional” and “rate tailoring”; authorizing the use of rate tailoring in specified circumstances; authorizing producers to use written recommendations from certified professionals to tailor their recommended nutrient application rates under certain circumstances; requiring revisions to recommended application rates by certain state universities and Florida College System institutions to authorize rate tailoring, etc. EN 01/10/2022 Fav/CS AG 01/19/2022 Favorable RC	Favorable Yeas 6 Nays 1
3	SB 1186 Albritton (Identical H 717)	Agritourism; Revising legislative intent regarding the promotion of agritourism; prohibiting the denial or revocation of a property’s agricultural classification under certain circumstances; requiring certain farm buildings, structures, facilities, or other improvements to be assessed according to specified provisions, etc. AG 01/19/2022 Favorable FT AP	Favorable Yeas 7 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Agriculture

Wednesday, January 19, 2022, 8:30—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1450 Jones (Identical H 1311)	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; revising requirements for program applicants and projects; requiring the Office of Program Policy Analysis and Government Accountability to review the program and collected data and provide the Legislature with a specified report, etc. AG 01/19/2022 Favorable AEG AP	Favorable Yeas 7 Nays 0
5	SB 1656 Rodriguez (Similar H 1187)	School Breakfast Programs; Requiring the Department of Agriculture and Consumer Services to reimburse sponsors for school breakfast meals that meet certain requirements; providing a basis for the calculation of the reimbursement, etc. AG 01/19/2022 Favorable AEG AP	Favorable Yeas 7 Nays 0
6	SB 1832 Brodeur (Identical H 1379, Compare H 1567)	Food Recovery; Directing the Department of Agriculture and Consumer Services, subject to appropriation, to implement a pilot program to provide incentives to Florida growers to contribute high-quality fresh fruits and vegetables to food recovery entities in the state; authorizing food recovery entities to negotiate the purchase price of produce and reimburse agricultural companies for certain costs; requiring the department to reimburse food recovery entities for certain costs, etc. AG 01/19/2022 Temporarily Postponed AEG AP	Temporarily Postponed

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.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 732

INTRODUCER: Senator Rodriguez and others

SUBJECT: Heat Illness Prevention

DATE: January 19, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fink</u>	<u>Becker</u>	<u>AG</u>	Favorable
2.	_____	_____	<u>HP</u>	_____
3.	_____	_____	<u>RC</u>	_____

I. Summary:

SB 732 creates s. 448.111, F.S., which provides responsibilities for certain employees and employers relating to heat illness prevention at work. These employers include industries where employees regularly perform work in an outdoor environment, including, but not limited to, agriculture, construction, and landscaping. These employers are required to:

- Train and inform supervisors and employees about heat illness, how to protect themselves and coworkers, how to recognize signs and symptoms of heat illness in themselves and coworkers, and appropriate first-aid measures;
- Provide preventative and first-aid measures to address signs or symptoms of heat illness;
- Ensure effective communication so that an employee may contact an employer, manager, supervisor, contractor, or emergency medical services provider if necessary;
- Provide a sufficient amount of cool or cold drinking water that is quickly and easily accessible to employees throughout the workday and remind employees to consume water;
- Ensure that each employee takes a 10-minute recovery period for every 2 hours that the employee is working in an outdoor environment under high-heat conditions;
- Provide accessible shade; and
- Conduct annual training approved by the Department of Agriculture and Consumer Services (FDACS) and the Department of Health (DOH).

The bill requires FDACS, in conjunction with DOH, to adopt rules to implement the bill.

The bill provides an effective date of October 1, 2022.

II. Present Situation:

The Federal Occupational Safety and Health Act of 1970 (OSH Act) has a General Duty Clause that requires employers to provide a place of employment that is “free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees.” The courts

have interpreted the OSH Act's General Duty Clause to mean that an employer has a legal obligation to provide a workplace free of conditions or activities that either the employer or industry recognizes as hazardous and that cause, or are likely to cause, death or serious physical harm to employees when there is a feasible method to abate the hazard. This includes heat-related hazards that are likely to cause death or serious bodily harm.¹

Heat is the leading cause of death among all weather-related phenomena, and it is becoming more dangerous as 18 of the last 19 years were the hottest on record.² Excessive heat can cause heat stroke and even death if not treated properly. It also exacerbates existing health problems like asthma, kidney failure, and heart disease. During the June 2021 heat wave in the Pacific Northwest, states reported hundreds of excess deaths and thousands of emergency room visits for heat-related illness.³ Workers in agriculture and construction are at the highest risk, but the problem affects all workers exposed to heat, including indoor workers without adequate climate-controlled environments.

Each year, more than 600 Americans die from hyperthermia, one of the nation's deadliest weather-related health outcomes. Agriculture workers die from heat-related illness at a rate 20 times greater than the general U.S. workforce. The Heat Illness Prevention campaign, launched by Commissioner of Agriculture Nikki Fried, provides farmworkers and agricultural employers with the knowledge they need to make healthy decisions in the field, helping save lives and preserving health.⁴

President Biden is launching an interagency effort to respond to extreme heat. The Departments of Labor, Health and Human Services, Homeland Security, and Agriculture; the Environmental Protection Agency; and the National Oceanic and Atmospheric Administration are announcing a set of actions that are intended to reduce heat-related illness, protect public health, and support the economy.

Specifically, the Department of Labor's Occupational Safety and Health Administration (OSHA) issued an Advance Notice of Proposed Rulemaking (ANPRM) on heat illness prevention in outdoor and indoor work settings. The ANPRM initiated a comment period allowing for OSHA to gather diverse perspectives and technical expertise on topics including heat stress thresholds, heat acclimatization planning, and exposure monitoring. This comment period was extended to Jan 26, 2022. Because this is still in the rulemaking phase, little is known in terms of specific rules. OSHA is also implementing an enforcement initiative on heat-related hazards in parallel with beginning rulemaking on a heat-specific standard. This initiative will prioritize interventions and inspections on days when the heat index exceeds 80°F.

¹ Occupational Safety and Health Administration, "Heat Standards," *see* <https://www.osha.gov/SLTC/heatstress/standards.html> (last visited Jan. 18, 2022).

² Occupational Safety and Health Administration, "Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings Rulemaking," *see* <https://www.osha.gov/heat-exposure/rulemaking> (last visited Jan. 18 2022).

³ *Id.*

⁴ Florida Department of Agriculture and Consumer Services, "Heat Illness," <https://www.fdacs.gov/Agriculture-Industry/Heat-Illness> (last visited Jan. 18, 2022).

III. Effect of Proposed Changes:

SB 732 creates s. 448.111, F.S., which provides responsibilities for certain employees and employers relating to heat illness prevention at work.

The bill outlines the applicability of these requirements to employers in industries where employees regularly perform work in an outdoor environment, including, but not limited to, agriculture, construction, and landscaping. However, these requirements do not apply to an employee who is required to work in an outdoor environment for fewer than 15 minutes per hour for every hour in the employee's entire workday. These requirements are also supplemental to all related industry-specific standards.

The bill requires employers of employees that regularly perform work in an outdoor environment to take certain measures to prevent heat illness in employees. The bill requires such employers to implement an outdoor heat exposure safety program approved by the Florida Department of Agriculture and Consumer Services (FDACS) and Department of Health (DOH). The employer must:

- Train and inform supervisors and employees about heat illness, how to protect themselves and coworkers, how to recognize signs and symptoms of heat illness in themselves and coworkers, and appropriate first-aid measures.
- Provide preventative and first-aid measures to address signs or symptoms of heat illness.
- Ensure effective communication so that an employee may contact an employer, manager, supervisor, contractor, or emergency medical services provider if necessary.
- Provide a sufficient amount of cool or cold drinking water that is quickly and easily accessible to employees throughout the workday and remind employees to consume water.
- Ensure that each employee takes a 10-minute recovery period for every 2 hours that the employee is working in an outdoor environment under high-heat conditions.

The bill requires employers to ensure access to cool drinking water at all times. This water must be free of charge and located as close as practicable. If drinking water is not plumbed to the location, the employer must provide at least one quart an hour per employee.

The bill also requires shade be provided for employees when the heat index exceeds 80 degrees Fahrenheit. If an employee demonstrates symptoms of heat illness, they shall be relieved from duty, and provided with at least 15 minutes of shade, or until symptoms have abated. If the symptoms do not abate in that 15 minute period, the employer must seek medical attention. If it is unsafe or unfeasible to provide shade, the employer must provide an alternative that is at least as effective.

The bill requires that employers provide annual heat illness training that has been approved by FDACS and DOH. Training information shall be written in English and translated into all languages understood by the employees and supervisors. The following training shall be provided:

- The environmental risk factors for heat illness;
- General awareness of personal risk factors for heat illness. An employee is responsible for monitoring his or her own personal risk factors for heat illness;

- The importance of loosening clothing and loosening or removing heat-retaining protective clothing and equipment, such as nonbreathable chemical-resistant clothing and equipment, during all recovery and rest periods, breaks, and meal periods;
- The importance of frequent consumption of cool or cold drinking water;
- The concept, importance, and methods of acclimatization;
- The common signs and symptoms of heat illness, including, but not limited to, neurological impairment, confusion, or agitation;
- The importance of immediately reporting to the employer, directly or through a supervisor, signs or symptoms of heat illness in the employee or a coworker, and the importance of immediately receiving medical attention if the employee or coworker exhibits any signs or symptoms of heat illness; and
- The employer's outdoor heat exposure safety program and related high-heat procedures. The bill requires supervisors to receive training on information they must provide and on procedures that must be followed when an employee experiences signs of heat illness.

The bill also requires FDACS, in conjunction with DOH, to adopt rules to implement this law.

The bill provides an effective date of October 1, 2022.

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:

Employers would bear the cost of providing these heat illness prevention measures such as water and shade, as well as potential lost productivity and profit.

C. Government Sector Impact:

These requirements would apply to public and private employers and employees.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 448.111 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.

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to heat illness prevention; creating
3 s. 448.111, F.S.; providing applicability; defining
4 terms; providing responsibilities for certain
5 employers and employees; providing an exception;
6 requiring employers to provide annual training for
7 employees and supervisors; requiring the Department of
8 Agriculture and Consumer Services, in conjunction with
9 the Department of Health, to adopt specified rules;
10 providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 448.111, Florida Statutes, is created to
15 read:

16 448.111 Heat illness prevention.-

17 (1) APPLICABILITY.-

18 (a) This section applies to employers in industries where
19 employees regularly perform work in an outdoor environment,
20 including, but not limited to, agriculture, construction, and
21 landscaping.

22 (b) This section does not apply to an employee who is
23 required to work in an outdoor environment for fewer than 15
24 minutes per hour for every hour in the employee's entire
25 workday.

26 (c) This section is supplemental to all related industry-
27 specific standards. When the requirements under this section
28 offer greater protection than related industry-specific
29 standards, an employer shall comply with the requirements of

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30 this section.

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

32 (a) "Acclimatization" means temporary adaptation of a
33 person to work in the heat that occurs when a person is
34 gradually exposed to heat over a 2-week period at a 20 percent
35 increase in heat exposure per day.

36 (b) "Drinking water" means potable water. The term includes
37 electrolyte-replenishing beverages that do not contain caffeine.

38 (c) "Employee" means a person who performs services for and
39 under the control and direction of an employer for wages or
40 other remuneration. The term includes an independent contractor
41 and a farm labor contractor as defined in s. 450.28.

42 (d) "Employer" means an individual, firm, partnership,
43 institution, corporation, association, or entity listed in s.
44 121.021(10) that employs individuals.

45 (e) "Environmental risk factors for heat illness" means
46 working conditions that create the possibility of heat illness,
47 including air temperature, relative humidity, radiant heat from
48 the sun and other sources, conductive heat from sources such as
49 the ground, air movement, workload severity and duration, and
50 protective clothing and equipment worn by an employee.

51 (f) "Heat illness" means a medical condition resulting from
52 the body's inability to cope with a particular heat level. The
53 term includes heat cramps, heat exhaustion, heat syncope, and
54 heat stroke.

55 (g) "Outdoor environment" means a location where work
56 activities are conducted outside. The term includes locations
57 such as sheds, tents, greenhouses, or other structures where
58 work activities are conducted inside, but the temperature is not

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59 managed by devices that reduce heat exposure and aid in cooling,
60 such as air conditioning systems.

61 (h) "Personal risk factors for heat illness" means factors
62 specific to an individual, including his or her age; health;
63 pregnancy; degree of acclimatization; water, alcohol, or
64 caffeine consumption; use of prescription medications; or other
65 physiological responses to heat.

66 (i) "Recovery period" means a cool-down period to reduce an
67 employee's heat exposure and aid the employee in cooling down
68 and avoiding the signs or symptoms of heat illness.

69 (j) "Shade" means an area that is not in direct sunlight.

70 (k) "Supervisor" has the same meaning as in s. 448.101.

71 (3) RESPONSIBILITIES.—An employer of employees who
72 regularly work in an outdoor environment shall implement an
73 outdoor heat exposure safety program that has been approved by
74 the Department of Agriculture and Consumer Services and the
75 Department of Health and that must, at a minimum:

76 (a) Train and inform supervisors and employees about heat
77 illness, how to protect themselves and coworkers, how to
78 recognize signs and symptoms of heat illness in themselves and
79 coworkers, and appropriate first-aid measures that can be used
80 before medical attention arrives in the event of a serious heat-
81 related illness event.

82 (b) Provide preventive and first-aid measures, such as
83 loosening clothing, loosening or removing heat-retaining
84 protective clothing and equipment, accessing shade, applying
85 cool or cold water to the body, and drinking cool or cold water,
86 to address the signs or symptoms of heat illness.

87 (c) Implement the following high-heat procedures, to the

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88 extent practicable, when an employer, manager, supervisor, or
89 contractor determines that the outdoor heat index equals or
90 exceeds 90 degrees Fahrenheit:

91 1. Ensure that effective communication by voice,
92 observation, or electronic means is initiated and maintained so
93 that an employee may contact an employer, manager, supervisor,
94 contractor, or emergency medical services provider if necessary.

95 2. Provide a sufficient amount of cool or cold drinking
96 water at a location that is quickly and easily accessible from
97 the area where employees work to accommodate all employees
98 throughout the workday, and remind employees throughout the
99 workday to consume such water.

100 3. Ensure that each employee takes a 10-minute recovery
101 period every 2 hours that the employee is working in an outdoor
102 environment under high-heat conditions. The recovery period may
103 be concurrent with a meal period required by law if the timing
104 of the recovery period coincides with a required meal period.

105 (4) DRINKING WATER.—An employer shall ensure that a
106 sufficient quantity of cool or cold, clean drinking water is at
107 all times readily accessible and free of charge to employees who
108 work in an outdoor environment. Such drinking water shall be
109 located as close as practicable to the areas where employees
110 work. If drinking water is not plumbed or otherwise continuously
111 supplied, an employer must supply a sufficient quantity of
112 drinking water at the beginning of the workday so each employee
113 has at least 1 quart of drinking water per hour for every hour
114 in the employee's entire workday. An employer may supply a
115 smaller quantity of drinking water at the beginning of the
116 workday if the employer has adequate procedures in place to

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117 allow the employee access to drinking water as needed so the
118 employee has at least 1 quart of drinking water per hour for
119 every hour in the employee's entire workday.

120 (5) ACCESS TO SHADE.—

121 (a) When the supervisor determines that the outdoor heat
122 index equals or exceeds 80 degrees Fahrenheit, the employer must
123 maintain one or more areas with shade that are open to the air
124 or offer ventilation or cooling at all times in the area where
125 employees are working. The amount of shade present must be able
126 to accommodate the total number of employees participating in a
127 recovery period at one time without the employees having to be
128 in physical contact with each other.

129 (b) An employee who exhibits mild to moderate signs or
130 symptoms of heat illness shall be relieved from duty, provided
131 with access to shade for at least 15 minutes or until such signs
132 or symptoms of heat illness have abated, and monitored to
133 determine whether medical attention is necessary. If such signs
134 or symptoms do not abate within such time period, an employer
135 shall seek medical attention in a timely manner for the
136 employee. If an employee exhibits serious signs or symptoms of
137 heat illness, an employer must seek medical attention
138 immediately for the employee and provide first-aid measures.

139 (c) If an employer can demonstrate that it is unsafe or not
140 feasible to provide an area with shade, the employer may provide
141 alternative cooling measures as long as the employer can
142 demonstrate that such measures are at least as effective as an
143 area with shade in reducing heat exposure.

144 (6) TRAINING.—An employer shall provide annual training
145 that has been approved by the Department of Agriculture and

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146 Consumer Services and the Department of Health for all employees
147 and supervisors in the languages understood by a majority of the
148 employees and supervisors. An employee who regularly works, or
149 who is in the process of acclimatization, in an outdoor
150 environment shall participate in the training that is provided
151 by the employer. Such training shall be made available through
152 the Department of Agriculture and Consumer Services and the
153 Department of Health. Training information shall be written in
154 English and translated into all languages understood by the
155 employees and supervisors. Supervisors shall make such written
156 materials available upon request.

157 (a) Training on the following topics shall be provided to
158 all employees who work in an outdoor environment:

159 1. The environmental risk factors for heat illness.

160 2. General awareness of personal risk factors for heat
161 illness. An employee is responsible for monitoring his or her
162 own personal risk factors for heat illness.

163 3. The importance of loosening clothing and loosening or
164 removing heat-retaining protective clothing and equipment, such
165 as nonbreathable chemical-resistant clothing and equipment,
166 during all recovery and rest periods, breaks, and meal periods.

167 4. The importance of frequent consumption of cool or cold
168 drinking water.

169 5. The concept, importance, and methods of acclimatization.

170 6. The common signs and symptoms of heat illness,
171 including, but not limited to, neurological impairment,
172 confusion, or agitation.

173 7. The importance of immediately reporting to the employer,
174 directly or through a supervisor, signs or symptoms of heat

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175 illness in the employee or a coworker, and the importance of
176 immediately receiving medical attention if the employee or
177 coworker exhibits any signs or symptoms of heat illness.

178 8. The employer's outdoor heat exposure safety program and
179 related high-heat procedures.

180 (b) Training on all of the following topics shall be
181 provided to all supervisors before they are authorized to
182 supervise employees who work in an outdoor environment:

183 1. Information that must be provided to employees.

184 2. Procedures that must be followed to implement this
185 section.

186 3. Procedures that must be followed when an employee
187 exhibits or reports any signs or symptoms of heat illness.

188 4. Procedures that must be followed when transporting an
189 employee who exhibits or reports any signs or symptoms of heat
190 illness to an emergency medical services provider in a timely
191 manner.

192 (7) RULEMAKING.—The Department of Agriculture and Consumer
193 Services, in conjunction with the Department of Health, shall
194 adopt rules to implement this section, including, but not
195 limited to, approved training programs, approved trainers, and a
196 certification process to acknowledge an employer's compliance
197 with training requirements.

198 Section 2. This act shall take effect October 1, 2022.

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.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: CS/SB 1000

INTRODUCER: Environment and Natural Resources Committee and Senator Albritton

SUBJECT: Nutrient Application Rates

DATE: January 19, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Collazo</u>	<u>Rogers</u>	<u>EN</u>	Fav/CS
2.	<u>Becker</u>	<u>Becker</u>	<u>AG</u>	Favorable
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

PLEASE MAKE SELECTION

I. Summary:

CS/SB 1000 authorizes agricultural producers to use written recommendations from certified professionals to tailor their recommended nutrient application rates. The certified professional's determination that published nutrient application rates are not appropriate, and any recommendations for rate tailoring, must be documented and kept for 5 years.

The bill provides that producers using rate tailoring are required to enroll in and implement certain applicable best management practices (BMPs) adopted by the Department of Agriculture and Consumer Services (DACCS). When recommended nutrient application rates for crops are revised by state universities or college institutions having agricultural research programs, the revisions must provide an application range or authorize rate tailoring to crop and field conditions.

Producers implementing rate tailoring in compliance with the bill are:

- Provided a presumption of compliance with state water quality standards;
- May rely upon the waiver of liability provision in existing law; and
- Are deemed in compliance with the BMPs for pollution reduction, waiver of liability, and presumption of compliance provisions in existing law.

The bill contains definitions for the terms "certified professional" and "rate tailoring" and associated legislative findings and intent provisions. The bill also extends the expiration dates of the "findings and intent," "fees," "use of funds," "waiver of liability," and "rulemaking"

provisions of s. 576.045, F.S., from December 31, 2022 to December 31, 2032, and the “compliance” and “other provisions” subsections of s. 576.045, F.S., from December 31, 2027 to December 31, 2037. The bill also provides an expiration date of December 31, 2037 for the new “rate tailoring” provision.

II. Present Situation:

Agricultural Best Management Practices

Agricultural best management practices (BMPs) are practical measures that agricultural producers can take to reduce the amount of fertilizers, pesticides, animal waste, and other pollutants entering the state’s water resources.¹ BMPs are designed to improve water quality while maintaining agricultural production.² Categories of BMPs include:³

- Nutrient management to determine nutrient needs and sources and manage nutrient applications (including manure) to minimize impacts to water resources.
- Irrigation management to address the method and scheduling of irrigation to reduce water and nutrient losses to the environment.
- Water resource protection using buffers, setbacks and swales to reduce or prevent the transport of sediments and nutrients from production areas to waterbodies.⁴

The Department of Agriculture and Consumer Services (DACCS) develops and adopts BMPs by rule for different types of agricultural commodities.⁵ Existing law provides for agricultural producers to reduce their impacts to water quality through the implementation of applicable BMPs adopted by DACCS.⁶

The Department of Environmental Protection (DEP) develops total maximum daily loads (TMDLs) for waterbodies that have been found to be impaired.⁷ The TMDL is a determination of the maximum amount of a pollutant (such as a nutrient) that a waterbody can receive and still meet the water quality standards that protect human health and aquatic life.⁸

¹ University of Florida, Institute of Food and Agricultural Sciences (UF/IFAS), *Agricultural Best Management Practices – About BMPs*, <https://bmp.ifas.ufl.edu/about-bmps/> (last visited Dec. 21, 2021); *see also* s. 576.011(2), F.S. (defining best management practices as practices or combinations of practices determined by research or field testing in representative sites to be the most effective and practicable methods of fertilization designed to meet nitrate groundwater quality standards, including economic and technological considerations).

² *Id.*

³ UF/IFAS, *Agricultural Best Management Practices – About BMPs*, <https://bmp.ifas.ufl.edu/about-bmps/> (last visited Dec. 21, 2021); Florida Department of Agriculture and Consumer Services (DACCS), *Agricultural Best Management Practices*, <https://www.fdacs.gov/Agriculture-Industry/Water/Agricultural-Best-Management-Practices> (last visited Dec. 21, 2021).

⁴ *Id.*

⁵ DACCS, *Agricultural Best Management Practices*, <https://www.fdacs.gov/Agriculture-Industry/Water/Agricultural-Best-Management-Practices> (last visited Dec. 21, 2021); *see also* Fla. Admin. Code Rules 5M-16 (citrus), 5M-11 (cow/calf), 5M-17 (dairy), 5M-14 (equine), 5M-6 (nurseries), 5M-19 (poultry), 5M-9 (sod), 5M-13 (specialty fruit and nut crops), 5M-8 (vegetable and agronomic crops), and 5M-18 (wildlife/state imperiled species).

⁶ *Id.*; *see also* s. 576.045, F.S.

⁷ DACCS, *Agricultural Best Management Practices*, <https://www.fdacs.gov/Agriculture-Industry/Water/Agricultural-Best-Management-Practices> (last visited Dec. 21, 2021).

⁸ *Id.*

To implement a TMDL, DEP establishes basin management action plans (BMAPs), which identify all known contributors of the pollutant within a BMAP and assign load reductions for the pollutant.⁹ A BMAP also identifies strategies to address the pollutant reductions required to achieve the TMDL.¹⁰

“Nonpoint source” contributors (sources where one cannot point at an actual discharge point), like agriculture, are responsible for implementing rule-adopted BMPs to help achieve water quality standards within BMAPs.¹¹ Therefore, any agricultural producers within a BMAP area must either enroll in DACS’ BMP program and properly implement applicable BMPs, or conduct water quality monitoring prescribed by DEP or the water management district to show that they are meeting state water quality standards; however, this type of water quality monitoring can be very expensive.¹²

According to the annual report on BMPs prepared by DACS, approximately 62 percent of agricultural acreage is enrolled in DACS’ BMP program statewide.¹³ To enroll in the BMP program, agriculture producers must meet with the Office of Agricultural Water Policy (OAWP) and submit a notice of intent to implement the BMPs.¹⁴ These producers are subject to inspection and recordkeeping requirements.¹⁵ After verification by DEP, producers implementing BMPs receive a presumption of compliance with state water quality standards for the pollutants addressed by the BMPs¹⁶ and those who enroll in the BMP program become eligible for technical assistance and cost-share funding for BMP implementation. Within a BMAP, management strategies, including BMPs and water quality monitoring, are enforceable.¹⁷

The University of Florida’s Institute of Food and Agricultural Sciences (UF/IFAS) is heavily involved in the adoption and implementation of BMPs. UF/IFAS provides expertise to both DACS and agriculture producers, and has extension offices throughout Florida. UF/IFAS holds summits and workshops on BMPs,¹⁸ conducts research to issue recommendations for improving BMPs,¹⁹ and issues training certificates for BMPs that require licenses such as Green Industry BMPs.²⁰

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² UF/IFAS, *Agricultural Best Management Practices – About BMPs*, <https://bmp.ifas.ufl.edu/about-bmps/> (last visited Dec. 21, 2021).

¹³ DACS Office of Agricultural Water Policy (OAWP), *Status of Implementation of Agricultural Nonpoint Source Best Management Practices*, 2 (July 1, 2021), available at <https://www.fdacs.gov/ezs3download/download/98382/2665697/Media/Files/Agricultural-Water-Policy-Files/BMP-Implementation/2021-status-of-bmp-implementation-report.pdf> (last visited Jan. 4, 2022).

¹⁴ Section 403.067(7)(c)2., F.S.; see Fla. Admin. Code R. 5M-8.002, 5M-8.004, 5M-8.006.

¹⁵ Section 403.067(7)(c)2., F.S.; see Fla. Admin. Code R. 5M-8.006.

¹⁶ Section 403.067(7)(c)3., F.S.

¹⁷ Section 403.067(7)(d), F.S.

¹⁸ UF/IFAS, *Agricultural Best Management Practices – Home*, <https://bmp.ifas.ufl.edu/> (last visited Jan. 5, 2022).

¹⁹ UF/IFAS Everglades Research & Education Center, *Best Management Practices & Water Resources*, <https://erec.ifas.ufl.edu/research-programs/best-management-practices-and-water-management/> (last visited Jan. 5, 2022).

²⁰ UF/IFAS Florida-Friendly Landscaping Program, *Green Industries Best Management Practices*, <https://ffl.ifas.ufl.edu/ffl-and-you/gi-bmp-program/> (last visited Jan. 5, 2022).

DACS is required to perform onsite inspection of agricultural producers enrolled in BMPs, at least every 2 years, to ensure that the BMPs are being properly implemented.²¹ DACS is also required to collect and retain nutrient application records²² and to provide these records to DEP.²³ DACS recently began updating its BMP rules; in 2021, it completed rulemaking to standardize record retention and recordkeeping processes across the various BMP manuals.²⁴

Nutrient Management

Since the BMP program was implemented in 1999,²⁵ DACS has adopted and incorporated by reference ten BMP manuals that cover nearly all major agricultural commodities in Florida:

- Citrus²⁶
- Cow/Calf²⁷
- Dairy²⁸
- Equine²⁹
- Nurseries³⁰
- Poultry³¹
- Sod³²
- Specialty Fruit and Nut Crops³³

²¹ Section 403.067(7)(d)3., F.S.

²² *Id.*

²³ Section 403.067(7)(c)5., F.S.

²⁴ See Fla. Admin. Code R. 5M-1.001, 5M-1.008, and 5M-1.009 (amended September 12, 2021).

²⁵ The program was voluntary from 1999-2005. In 2005 the Florida Legislature modified the law requiring agricultural producers to adopt BMPs or conduct water quality monitoring.

²⁶ Fla. Admin. Code R. 5M-16.001; DACS, *Water Quality/Quantity Best Management Practices for Citrus (2012 Edition)*, DACS-P-01756, available at https://www.fdacs.gov/ezs3download/download/25410/516289/Bmp_FloridaCitrus2012.pdf (last visited Jan. 4, 2022).

²⁷ Fla. Admin. Code R. 5M-11.002; DACS, *Water Quality Best Management Practices for Florida Cow/Calf Operations (2008 Edition)*, DACS P-01280, available at https://www.fdacs.gov/ezs3download/download/25408/516287/Bmp_FloridaCowCalf2008.pdf (last visited Jan. 4, 2022).

²⁸ Fla. Admin. Code R. 5M-17.001; DACS, *Water Quality/Quantity Best Management Practices for Florida Dairy Operations (2015 Edition)*, FDACS-P-02008, available at <https://www.fdacs.gov/ezs3download/download/64582/1525731/Media/Files/Agricultural-Water-Policy-Files/Best-Management-Practices/dairyBMPFinal.pdf> (last visited Jan. 4, 2022).

²⁹ Fla. Admin. Code R. 5M-14.002; DACS, *Water Quality/Quantity Best Management Practices for Florida Equine Operations (2011 Edition)*, DACS P-01531, available at <https://www.fdacs.gov/content/download/30687/file/equineBMP-lores.pdf> (last visited Jan. 4, 2022).

³⁰ Fla. Admin. Code R. 5M-6.002; DACS, *Water Quality/Quantity Best Management Practices for Florida Nurseries (2014 Edition)*, DACS-P-01267, available at <https://www.fdacs.gov/content/download/37570/file/nurseryBMP-lores.pdf> (last visited Jan. 4, 2022).

³¹ Fla. Admin. Code R. 5M-19.001; DACS, *Water Quality/Quantity Best Management Practices for Florida Poultry Operations (2016 Edition)*, FDACS-P-02052, available at <https://www.fdacs.gov/content/download/71304/file/Poultry%20BMP%20Manual.pdf> (last visited Jan. 4, 2022).

³² Fla. Admin. Code R. 5M-9.002; DACS, *Water Quality/Quantity Best Management Practices for Florida Sod (2008 Edition)*, DACS-P 01330, available at https://www.fdacs.gov/ezs3download/download/25407/516286/Bmp_FloridaSod2008.pdf (last visited Jan. 4, 2022).

³³ Fla. Admin. Code R. 5M-13.002; DACS, *Water Quality/Quantity Best Management Practices for Florida Specialty Fruit and Nut Crops (2011 Edition)*, DACS P-01589, available at https://www.fdacs.gov/ezs3download/download/25409/516288/Bmp_FloridaSpecialtyFruitNut2011.pdf (last visited Jan. 4, 2022).

- Vegetable and Agronomic Crops³⁴
- Wildlife (State Imperiled Species)³⁵

With only one exception (Wildlife/State Imperiled Species), all of these BMP manuals address nutrient management in ways specific to each commodity. For example, the BMP manual for citrus entitled *Water Quality/Quantity Best Management Practices for Citrus* (Citrus BMPs Manual) contains BMPs on nutrient management, which it defines as the control of the source, rate, placement, and timing of nutrient applications and soil amendments to ensure sufficient soil fertility for citrus tree production and to minimize impacts to water quality.³⁶

Excess nitrogen and phosphorus are the most common causes of water quality impairments in the state because they enter surface waters through stormwater or irrigation runoff or leach through soils into groundwater.³⁷ Accordingly, the Citrus BMPs Manual includes recommended nutrient application rates for nitrogen and phosphorus.³⁸ The recommended rates are based on normal, healthy tree development for their age; however, where disease, salinity, or other factors inhibit normal tree development, fertilizer application(s) should be adjusted accordingly.³⁹

Statutory Incentives for BMP Implementation

Section 576.045, F.S., is focused on improving fertilization-management practices as soon as practicable in a way that protects the state's water resources and preserves a viable agricultural industry.⁴⁰ Goals include supporting BMP-related research⁴¹ and incentivizing BMP implementation by the agricultural industry and other major users of fertilizer.⁴² In addition to authorizing the imposition and collection of fees in support of various activities connected to achieving state water quality standards for nitrogen and phosphorus criteria,⁴³ the statute

³⁴ Fla. Admin. Code R. 5M-8.002(1); DACS, *Water Quality/Quantity Best Management Practices for Florida Vegetable and Agronomic Crops (2015 Edition)*, FDACS-P-01268, available at <https://www.fdacs.gov/content/download/77230/file/vegAgCropBMP-loRes.pdf> (last visited Jan. 4, 2022).

³⁵ Fla. Admin. Code R. 5M-18.001; DACS, *Florida Agriculture Wildlife Best Management Practices for State Imperiled Species (2015 Edition)*, DACS-P-02031, available at https://www.fdacs.gov/content/download/61100/file/WildlifeBMP_final.pdf (last visited Jan. 4, 2022).

³⁶ DACS, *Water Quality/Quantity Best Management Practices for Citrus (2012)*, DACS-P-01756, at 13-17, available at https://www.fdacs.gov/ezs3download/download/25410/516289/Bmp_FloridaCitrus2012.pdf (last visited Dec. 21, 2021).

³⁷ *Id.* at 4.

³⁸ *Id.* at 16-17 (providing that the phosphorus fertilization rate should be based upon soil and/or leaf tissue tests, and the nitrogen fertilization rate should be based upon recommended rates published by the Institute of Food and Agricultural Sciences at the University of Florida (UF/IFAS)).

³⁹ *Id.* at 16.

⁴⁰ Section 576.045(1)(b), F.S.

⁴¹ A list of BMP research funding priorities and research projects by topic is available online. See DACS, BMP Research, <https://www.fdacs.gov/Agriculture-Industry/Water/Agricultural-Best-Management-Practices/BMP-Research> (last visited Dec. 12, 2021).

⁴² See s. 576.045(1)(b), F.S.; see also ss. 576.045(4)-(5) and 403.076(7)(c)3., F.S. (incentivizing BMP implementation via waiver of liability and presumption of compliance provisions).

⁴³ Section 576.045(2)-(3), F.S. DACS collects \$100 from each licensee to distribute fertilizer; \$100 for each specialty fertilizer registration; and fifty cents per ton for all fertilizer that contains nitrogen or phosphorus and that is sold in the state. *Id.*

incentivizes BMP implementation in two ways: a waiver of liability provision⁴⁴ and a presumption of compliance provision.⁴⁵

The waiver of liability provision prohibits DEP from instituting proceedings against any person or the Federal Government under existing law⁴⁶ to recover any costs or damages associated with nitrogen or phosphorus contamination of groundwater or surface water (or the evaluation, assessment, or remediation of contamination), due to the application of fertilizers or other soil-applied nutritional materials containing nitrogen or phosphorus.⁴⁷ To qualify for the waiver of liability, a property owner or leaseholder must:

- Provide DACS with a notice of intent to implement applicable interim measures, BMPs, or other measures adopted by DACS, which practices or measures have been verified by DEP to be effective, and implement them as soon as practicable according to rules adopted by DACS, or no longer apply fertilizers or other soil-applied nutritional materials containing nitrogen or phosphorus;⁴⁸ or
- No longer apply fertilizers or other soil-applied nutritional materials containing nitrogen or phosphorus.⁴⁹

The presumption of compliance provision states that if a property owner or leaseholder implements interim measures, BMPs, or other measures adopted by DACS, which practices or measures have been verified by DEP to be effective, and complies with the following requirements, there is a presumption of compliance with state water quality standards. The presumption applies for the application of fertilizers or other soil-applied nutritional materials containing nitrogen or phosphorus. To achieve the presumption, the property owner or leaseholder must:⁵⁰

- Provide DACS with a notice of intent to implement applicable interim measures, BMPs, or other measures adopted by DACS, and implements them as soon as practicable according to rules adopted by DACS, or no longer applies fertilizers or other soil-applied nutritional materials containing nitrogen or phosphorus;⁵¹ or
- No longer apply fertilizers or other soil-applied nutritional materials containing nitrogen or phosphorus.⁵²

The “findings and intent,” “fees,” “purpose,” “waiver of liability,” and “rulemaking” provisions of s. 576.045, F.S., are scheduled to expire on December 31, 2022, whereas the “compliance” and “other provisions” subsections of s. 576.045, F.S., are scheduled to expire on December 31,

⁴⁴ Section 576.045(4), F.S.; *see also* s. 403.076(7)(c)3., F.S. (also incentivizing BMP implementation via a waiver of liability provision).

⁴⁵ Section 576.045(5), F.S.; *see also* s. 403.076(7)(c)3., F.S. (also incentivizing BMP implementation via a presumption of compliance provision).

⁴⁶ *See* s. 376.307(5), F.S.

⁴⁷ Section 576.045(4), F.S.

⁴⁸ Section 576.045(4)(a)1.-2., F.S.

⁴⁹ Section 576.045(4)(b), F.S.

⁵⁰ Section 576.045(5), F.S.

⁵¹ Section 576.045(5)(a)1.-2., F.S.

⁵² Section 576.045(5)(b), F.S.

2027.⁵³ These expiration dates have been included in the statute since it was first enacted and have been periodically extended, most recently in 2012.⁵⁴

American Society of Agronomy

The American Society of Agronomy (ASA) is the professional home for scientists dedicated to advancing the discipline of the agronomic sciences.⁵⁵ Agronomy employs the disciplines of soil and plant sciences to crop production, with the wise use of natural resources and conservation practices to produce food, feed, fuel, fiber, and pharmaceutical crops for the world's growing population.⁵⁶ A common thread across the programs and services of the ASA is the dissemination and transfer of scientific knowledge to advance the profession.⁵⁷

The ASA offers certification programs to become a Certified Crop Adviser (CCA) or a Certified Professional Soil Scientist (CPSS).⁵⁸ Certification as a CCA is appropriate for any adviser/consultant that spends the majority of his or her time advising growers or farm managers/operators on agronomic practices and can meet the standards of the program.⁵⁹ Certification as a CPSS is appropriate for any individual whose education, experience, and career path is in some aspect of the soil science profession and can meet the standards of the program.⁶⁰

The ASA also offers a specialty certification in 4R Nutrient Management Planning.⁶¹ The four "Rs" refer to building a nutrient management plan that puts the (1) right nutrient resources, at the (2) right rate, in the (3) right place, and at the (4) right time. The specialty is focused on addressing environmental and resource management concerns in order to improve water quality and environmental stewardship. It also considers the integration of agronomic practices with economic analysis and environmental interaction. Proficiency areas tested include nutrient management planning; nitrogen, phosphorus, and potassium; secondary macronutrients and micronutrients; and manure management.⁶²

Citrus Diseases

The Department of Citrus has reported that citrus production in Florida could drop by as much as 82 percent by 2026, due in large part to citrus diseases.⁶³ These diseases pose significant threats to the Florida citrus industry. They include all of the following:⁶⁴

⁵³ Section 576.045(8), F.S.

⁵⁴ Ch. 94-311, s. 8, Laws of Fla. (creating s. 576.045, F.S.); *see also* ch. 2003-147, s. 1, Laws of Fla. (extending the expiration dates); *see also* ch. 2012-190, s. 26, Laws of Fla. (further extending the expiration dates).

⁵⁵ American Society of Agronomy (ASA), *Membership*, <https://www.agronomy.org/membership> (last visited Jan. 5, 2022).

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ ASA, *Certifications*, <https://www.agronomy.org/certifications> (last visited Jan. 5, 2022).

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ ASA, *New Nutrient Management Certification Offered*, <https://www.agronomy.org/news/media-releases/releases/2015/0518/671> (last visited Jan. 11, 2022).

⁶² *Id.*

⁶³ Florida Farm Bureau, *Hope for Florida's Declining Citrus Industry*, <https://www.floridafarmbureau.org/hope-for-floridas-declining-citrus-industry/> (last visited Jan. 6, 2022).

⁶⁴ UF/IFAS Citrus Research and Education Center, *Disease Identification*, <https://crec.ifas.ufl.edu/citrus-production/disease-identification/> (last visited Jan. 5, 2022).

- Alternaria brown spot
- Black spot
- Blight
- Canker
- Exotic citrus diseases
- Greasy spot
- Citrus greening (HLB)
- Melanose
- Phytophthora
- Postbloom fruit drop
- Postharvest diseases
- Scab
- Tristeza
- Virus-like diseases⁶⁵

Citrus greening, also known as Huanglongbing (HLB), is among the most serious citrus diseases in the world.⁶⁶ It is widespread in Asia, Africa and the Saudi Arabian peninsula. In August 2005, it was found for the first time in the U.S. in south Miami-Dade County.⁶⁷ Every citrus grove in Florida is now being adversely impacted by HLB.⁶⁸

HLB is a bacterial disease that attacks the vascular system of plants.⁶⁹ Once infected, there is no cure for the disease, and in areas where the disease is endemic, citrus trees decline and die within a few years. There are three known forms: Asian, African and Brazilian. The HLB bacteria is transmitted primarily by insect vectors (citrus psyllids), but can also be spread through plant grafting and movement of infected plant material.⁷⁰

Another serious threat is citrus canker.⁷¹ Citrus canker is a bacterial disease that causes lesions on leaves, stems and fruit. It is not harmful to humans, but it causes premature leaf and fruit drop and will eventually render trees unproductive. Fruit infected with canker is safe to eat, but it is too unsightly to be sold.⁷²

III. Effect of Proposed Changes:

Section 1 amends s. 576.011, F.S., to include definitions for the terms “certified professional” and “rate tailoring”:

⁶⁵ *Id.*

⁶⁶ DACS, *Huanglongbing (HLB)/Citrus Greening Disease Information*, <https://www.fdacs.gov/Agriculture-Industry/Pests-and-Diseases/Plant-Pests-and-Diseases/Citrus-Health-Response-Program/Citrus-Pests-and-Diseases/HLB-Citrus-Greening> (last visited Jan. 5, 2022).

⁶⁷ *Id.*

⁶⁸ Dep’t of Citrus (DOC), *Orange Production*, <https://www.floridacitrus.org/newsroom/citrus-411/orange-production/> (last visited Jan. 6, 2021).

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ DACS, *Citrus Canker FAQ*, <https://www.fdacs.gov/Agriculture-Industry/Pests-and-Diseases/Plant-Pests-and-Diseases/Citrus-Health-Response-Program/Citrus-Pests-and-Diseases/Citrus-Canker-FAQ> (last visited Jan. 5, 2022).

⁷² *Id.*

- A “certified professional” is defined to mean an individual who holds a certified crop adviser designation issued by the American Society of Agronomy, who has passed the society’s Southeast Region Certified Crop Adviser Exam, who holds a 4R Nutrient Management Specialty certification, and whose credentials have been verified by the society’s Florida Certified Crop Adviser Board.
- “Rate tailoring” is defined to mean the application of nutrients in accordance with the rate tailoring provisions created in Section 2 of the bill.

The bill also renumbers various subsections in s. 576.011, F.S., to accommodate the new definitions.

Section 2 amends s. 576.045, F.S., to include the following Legislative findings:

- Nutrient application rate recommendations are general guidelines, not site-specific absolute rates, and such rates may not take into account the latest methods of producing agricultural commodities or changes to nutrient application practices which are appropriate due to disease, new crop varieties, changes in U.S. Department of Agriculture Agricultural Marketing Service Standards, growing techniques, or market conditions.
- To gain efficiency and be able to compete successfully with foreign producers that benefit from lower costs of production and favorable trade conditions, many producers in this state grow more product per acre, resulting in higher production at lower overall costs. This high-efficiency crop production requires nutrient application to be based on the intensity of production on a per-acre basis, rather than the lower per-acre production on which past research based its recommended nutrient application rate.
- Florida citrus faces challenges that include citrus greening, citrus canker, freezes, windstorms, and other events that result in the fruit not being harvested. In order to continue production of the state’s iconic crop, nutrient application rates must reflect fruit grown on the tree after the bloom during the growing season and not fruit ultimately harvested for market delivery.

The bill provides that the Legislature intends to:

- Accommodate continued agricultural production without interruption as research to formally revise nutrient application rates is completed.
- Authorize the use of rate tailoring in recommended nutrient application rates, when rate tailoring is supported by written recommendations from a certified professional and documented using production and field data that is retained for review during the best management practices (BMPs) implementation verification process.

The bill authorizes the use of rate tailoring to recommended nutrient application rates, where rate tailoring is supported by a certified professional, and where the following conditions are met:

- When recommended nutrient application rates published by the Institute of Food and Agricultural Sciences at the University of Florida (UF/IFAS) or other state universities and Florida College System institutions that have agricultural research programs are not appropriate for a specific producer due to soil conditions, disease, crop varieties, subsequent crop rotations, planting density, market requirements, or site-specific conditions, written recommendations from a certified professional may be used to tailor the recommended nutrient application rates for that producer. The determination that the published nutrient

application rates are not appropriate and the recommendation for the tailoring of nutrient application rates must be documented with one or more of the following records:

- soil tests,
- plant tissue tests,
- pathology reports,
- yield response curves,
- growth records, or
- site-specific conditions.
- The producer must document records specifying the application rate, the types or forms of nutrients used, the nutrient sources used, and the placement and timing of the nutrient sources.
- The producer must retain the records for 5 years to support the use of rate tailoring.
- Producers using rate tailoring must be enrolled in and implementing all other BMPs adopted by the Department of Agriculture and Consumer Services (DACS) and identified in the enrolled notice of intent required under the waiver of liability and presumption of compliance provisions of the section or the best management practices paragraph in s. 403.067(7), F.S.
- As recommended nutrient application rates for crops are revised by UF/IFAS or other state universities and Florida College System institutions that have agricultural research programs, such recommendations must provide an application range or authorize rate tailoring to crop and field conditions.
- Notwithstanding any other law, producers implementing rate tailoring in compliance with the bill are provided a presumption of compliance with state water quality standards, may rely on the waiver of liability provision in the section, and are deemed to be in compliance with the BMPs for pollution reduction in existing law as well as the waiver of liability and presumption of compliance provisions of the section.

The bill clarifies that property owners and leaseholders who implement interim measures, BMPs, or other measures that have been adopted by DACS and verified by the Department of Environmental Protection (DEP) as effective, are presumed to have complied with s. 576.045, F.S., and the BMPs for pollution reduction in existing law.

The bill amends s. 576.045(9), F.S., to provide that the “findings and intent,” “fees,” “use of funds,” “waiver of liability,” and “rulemaking” provisions expire on December 31, 2032, and the “rate tailoring,” “compliance,” and “other provisions” subsections expire on December 31, 2037.

Section 3 of the bill amends s. 403.067(7)(c)3., F.S., to provide that implementation of BMPs that have been authorized by s. 576.045, F.S., also qualify for the presumption of compliance and waiver of liability provisions in that subparagraph. It also amends the subparagraph to conform it to the bill.

Section 4 of the bill provides an effective date of July 1, 2022.

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:

The bill extends the expiration date currently applicable to the existing “fees” provision in the statute from December 31, 2022 to December 31, 2032. Art. VII, s. 19 of the Florida Constitution requires supermajority votes on a separate bill by the Legislature to either impose new or raise existing state taxes or fees. This bill extends an existing fee at its current rates.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

The bill extends the expiration date of the “fees” provision in the statute from December 31, 2022 to December 31, 2032.

B. Private Sector Impact:

Because the bill extends the expiration date currently applicable to the existing “fees” provision in the statute from December 31, 2022 to December 31, 2032, the private sector will continue to be subject to them.

C. Government Sector Impact:

Because the bill extends the expiration date currently applicable to the existing “fees” provision in the statute from December 31, 2022 to December 31, 2032, the government sector will continue to collect them. These fees are collected and paid by licensees to protect the state’s water resources, by funding research concerning best management practices, education, and incentives for the agricultural industry and other major users of fertilizers.⁷³

VI. Technical Deficiencies:

None.

⁷³ Section 576.045(1)(b), F.S.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 576.011, 576.045, and 403.067 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

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

CS by Environment and Natural Resources on January 10, 2022:

- Revises the definition of “certified professional” to also require the individual to hold a 4R Nutrient Management Specialty certification.
- In the provision requiring producers using rate tailoring to be enrolled in and implementing all other best management practices adopted by the department and identified in the enrolled notice of intent, provides that in addition to the enrolled notice being required under subsections (5) and (6), it may also be required under s. 403.067(7)(c), F.S.

B. Amendments:

None.

By the Committee on Environment and Natural Resources; and
Senator Albritton

592-01918-22

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1 A bill to be entitled
2 An act relating to nutrient application rates;
3 amending s. 576.011, F.S.; defining the terms
4 "certified professional" and "rate tailoring";
5 amending s. 576.045, F.S.; providing legislative
6 findings and intent; authorizing the use of rate
7 tailoring in specified circumstances; authorizing
8 producers to use written recommendations from
9 certified professionals to tailor their recommended
10 nutrient application rates under certain
11 circumstances; requiring producers to keep records
12 regarding the determination that the published
13 nutrient application rates are not appropriate and any
14 recommendations for rate tailoring for a specified
15 period of time; requiring producers using rate
16 tailoring to enroll in and implement certain
17 applicable best management practices; requiring
18 revisions to recommended application rates by certain
19 state universities and Florida College System
20 institutions to authorize rate tailoring; providing a
21 presumption of compliance with certain requirements
22 for producers using rate tailoring; extending the
23 expiration of a certain provision; amending s.
24 403.067, F.S.; conforming a provision to changes made
25 by the act; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Present subsections (5) through (31) and (32)

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30 through (42) of section 576.011, Florida Statutes, are
31 redesignated as subsections (6) through (32) and (34) through
32 (44), respectively, and new subsections (5) and (33) are added
33 to that section, to read:

34 576.011 Definitions.—When used in this chapter, the term:

35 (5) "Certified professional" means an individual who holds
36 a certified crop adviser designation issued by the American
37 Society of Agronomy, who has passed the society's Southeast
38 Region Certified Crop Adviser Exam, who holds a 4R Nutrient
39 Management Specialty certification, and whose credentials have
40 been verified by the society's Florida Certified Crop Adviser
41 Board.

42 (33) "Rate tailoring" means the application of nutrients in
43 accordance with s. 576.045(4).

44 Section 2. Section 576.045, Florida Statutes, is amended to
45 read:

46 576.045 Nitrogen and phosphorus; findings and intent; fees;
47 purpose; best management practices; waiver of liability;
48 compliance; rules; exclusions; expiration.—

49 (1) FINDINGS AND INTENT.—

50 (a) The Legislature finds that:

51 1. Nitrogen and phosphorus residues have been found in
52 groundwater, surface water, and drinking water in various areas
53 throughout this ~~the~~ state at levels in excess of established
54 water quality standards. The Legislature further finds that some
55 fertilization-management practices could be a source of such
56 contamination.

57 2. Nutrient application rate recommendations are general
58 guidelines, not site-specific absolute rates, and that such

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59 rates may not take into account the latest methods of producing
60 agricultural commodities or changes to nutrient application
61 practices which are appropriate due to disease, new crop
62 varieties, changes in United States Department of Agriculture
63 Agricultural Marketing Service standards, growing techniques, or
64 market conditions.

65 3. To gain efficiency and be able to compete successfully
66 with foreign producers that benefit from lower costs of
67 production and favorable trade conditions, many producers in
68 this state grow more product per acre, resulting in higher
69 production at lower overall costs. This high-efficiency crop
70 production requires nutrient application to be based on the
71 intensity of production on a per-acre basis, rather than the
72 lower per-acre production on which past research based its
73 recommended nutrient application rate.

74 4. Florida citrus faces challenges that include citrus
75 greening, citrus canker, freezes, windstorms, and other events
76 that result in the fruit not being harvested. In order to
77 continue production of this state's iconic crop, nutrient
78 application rates must reflect fruit grown on the tree after the
79 bloom during the growing season and not fruit ultimately
80 harvested for market delivery.

81 (b) It is the intent of the Legislature to:

82 1. Improve fertilization-management practices as soon as
83 practicable in a way that protects ~~this~~ the state's water
84 resources and preserves a viable agricultural industry. This
85 goal is to be accomplished through research concerning best
86 management practices and education and incentives for the
87 agricultural industry and other major users of fertilizer.

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88 2. Accommodate continued agricultural production without
89 interruption as research to formally revise nutrient application
90 rates is completed.

91 3. Authorize the use of rate tailoring in recommended
92 nutrient application rates when rate tailoring is supported by
93 written recommendations from a certified professional and
94 documented using production and field data that is retained for
95 review during the best management practices implementation
96 verification process.

97 (2) FEES.—

98 (a) In addition to the fees imposed under ss. 576.021 and
99 576.041, the following supplemental fees shall be collected and
100 paid by licensees for the sole purpose of implementing this
101 section:

102 1. One hundred dollars for each license to distribute
103 fertilizer.

104 2. One hundred dollars for each specialty fertilizer
105 registration.

106 3. Fifty cents per ton for all fertilizer that contains
107 nitrogen or phosphorus and that is sold in this state.

108 (b) All fees paid to the department under this section are
109 due and payable at the same time and in the same manner as the
110 fees specified in ss. 576.021 and 576.041 and are subject to all
111 provisions contained in those sections.

112 (c) All fees paid under this section must be deposited into
113 the General Inspection Trust Fund and are exempt from ~~the~~
114 ~~provisions of~~ s. 215.20. These funds are to be appropriated
115 annually to the department and allocated according to a
116 memorandum of understanding between the department and the

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117 Department of Environmental Protection. The allocation of
118 indirect costs to these funds by any state agency is
119 specifically prohibited.

120 (3) USE OF FUNDS PURPOSE.—The funds collected pursuant to
121 subsection (2) must be used by the department for:

122 (a) Research, development, demonstration, and
123 implementation of suitable interim measures, best management
124 practices, or other measures used to achieve state water quality
125 standards for nitrogen and phosphorus criteria. Implementation
126 of interim measures, best management practices, and other
127 measures may include cost-sharing grants, technical assistance,
128 implementation tracking, and conservation leases or other
129 agreements for water quality improvement.

130 (b) Approving, adopting, publishing, and distributing
131 interim measures, best management practices, or other measures.
132 In the process of developing, approving, and adopting interim
133 measures, best management practices, or other measures, the
134 department shall consult with the Department of Environmental
135 Protection, the Department of Health, the water management
136 districts, environmental groups, the fertilizer industry, and
137 representatives from the affected farming groups.

138 (c) Reimbursing the Department of Environmental Protection
139 for costs incurred which are associated with:

140 1. Monitoring and verifying the effectiveness of the
141 interim measures, best management practices, or other measures
142 approved and adopted under subsection (7) ~~(6)~~ at representative
143 sites. The Department of Environmental Protection shall use its
144 best professional judgment in making the initial determination
145 of the effectiveness of the interim measures, best management

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146 practices, or other measures.

147 2. Sampling, analysis, and restoration of potable water
148 supplies, pursuant to s. 376.307, found to contain levels of
149 nitrate in excess of state water quality standards, which excess
150 is determined to be the result of the application of fertilizers
151 or other soil-applied nutritional materials containing nitrogen.

152

153 This subsection must be implemented through a memorandum of
154 understanding between the department and the Department of
155 Environmental Protection.

156 (4) RATE TAILORING.—The use of rate tailoring to
157 recommended nutrient application rates is authorized where rate
158 tailoring is supported by a certified professional.

159 (a) When recommended nutrient application rates published
160 by the Institute of Food and Agricultural Sciences at the
161 University of Florida or other state universities and Florida
162 College System institutions that have agricultural research
163 programs are not appropriate for a specific producer due to soil
164 conditions, disease, crop varieties, subsequent crop rotations,
165 planting density, market requirements, or site-specific
166 conditions, written recommendations from a certified
167 professional may be used to tailor the recommended nutrient
168 application rates for that producer. The determination that the
169 published nutrient application rates are not appropriate and the
170 recommendation for the tailoring of nutrient application rates
171 must be documented with one or more of the following records, as
172 appropriate: soil tests, plant tissue tests, pathology reports,
173 yield response curves, growth records, or site-specific
174 conditions, together with records specifying the application

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175 rate, the types or forms of nutrients used, the nutrient sources
176 used, and the placement and timing of the nutrient sources. A
177 producer must retain the records for 5 years to support the use
178 of rate tailoring.

179 (b) Producers using rate tailoring must be enrolled in and
180 implementing all other best management practices adopted by the
181 department and identified in the enrolled notice of intent
182 required under subsections (5) and (6) or s. 403.067(7)(c).

183 (c) As recommended nutrient application rates for crops are
184 revised by the Institute of Food and Agricultural Sciences at
185 the University of Florida or other state universities and
186 Florida College System institutions that have agricultural
187 research programs, such recommendations must provide an
188 application range or authorize rate tailoring to crop and field
189 conditions.

190 (d) Notwithstanding any other law, producers implementing
191 rate tailoring in compliance with this section are provided a
192 presumption of compliance with state water quality standards,
193 may rely on the waiver of liability in subsection (5), and be
194 deemed to be in compliance with s. 403.067(7)(c) and subsections
195 (5) and (6).

196 (5) WAIVER OF LIABILITY.—Notwithstanding any other
197 ~~provision of~~ law, the Department of Environmental Protection ~~may~~
198 ~~not is not authorized to~~ institute proceedings against any
199 person or the Federal Government under ~~the provisions of~~ s.
200 376.307(5) to recover any costs or damages associated with
201 nitrogen or phosphorus contamination of groundwater or surface
202 water, or the evaluation, assessment, or remediation of such
203 contamination of groundwater or surface water, including

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204 sampling, analysis, and restoration of potable water supplies,
205 where the contamination of groundwater or surface water is
206 determined to be the result of the application of fertilizers or
207 other soil-applied nutritional materials containing nitrogen or
208 phosphorus, provided the property owner or leaseholder:

209 (a)1. Provides the department with a notice of intent to
210 implement applicable interim measures, best management
211 practices, or other measures adopted by the department which
212 ~~practices or measures~~ have been verified by the Department of
213 Environmental Protection to be effective; and

214 2. Implements applicable interim measures, best management
215 practices, or other measures as soon as practicable according to
216 rules adopted by the department or no longer applies fertilizers
217 or other soil-applied nutritional materials containing nitrogen
218 or phosphorus; or

219 (b) No longer applies fertilizers or other soil-applied
220 nutritional materials containing nitrogen or phosphorus ~~as of~~
221 ~~the effective date of this section.~~

222 (6) ~~(5)~~ COMPLIANCE.—If the property owner or leaseholder
223 implements interim measures, best management practices, or other
224 measures adopted by the department which ~~practices or measures~~
225 have been verified by the Department of Environmental Protection
226 to be effective, and complies with the following, there is a
227 presumption of compliance with state water quality standards for
228 such criteria under this section and s. 403.067(7)(c) with
229 respect to the application of fertilizers or other soil-applied
230 nutritional materials containing nitrogen or phosphorus:

231 (a)1. Provides the department with a notice of intent to
232 implement applicable interim measures, best management

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233 practices, or other measures adopted by the department; and

234 2. Implements applicable interim measures, best management
235 practices, or other measures as soon as practicable according to
236 rules adopted by the department or no longer applies fertilizers
237 or other soil-applied nutritional materials containing nitrogen
238 or phosphorus; or

239 (b) No longer applies fertilizers or other soil-applied
240 nutritional materials containing nitrogen or phosphorus ~~as of~~
241 ~~the effective date of this section.~~

242 (7) ~~(6)~~ RULEMAKING.—The department, in consultation with the
243 Department of Environmental Protection, the Department of
244 Health, the water management districts, environmental groups,
245 the fertilizer industry, and representatives from the affected
246 farming groups, shall adopt rules to:

247 (a) Specify the requirements of interim measures, best
248 management practices, or other measures to be implemented by
249 property owners and leaseholders.

250 (b) Establish procedures for property owners and
251 leaseholders to submit the notice of intent to implement and
252 comply with interim measures, best management practices, or
253 other measures.

254 (c) Establish schedules for implementation of interim
255 measures, best management practices, or other measures.

256 (d) Establish a system to assure the implementation of best
257 management practices, including recordkeeping requirements.

258 (8) ~~(7)~~ OTHER PROVISIONS.—

259 (a) This section does not limit the authority of the
260 Department of Environmental Protection to regulate discharges
261 associated with the commercial feeding of livestock and poultry

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262 defined in chapter 585, including that of dairy farm and egg
263 production operations, or the disposal of sludge, residuals, or
264 septage. This paragraph does not grant additional authority to
265 regulate these discharges.

266 (b) This section does not limit federally delegated
267 regulatory authority.

268 (c) The Department of Environmental Protection may adopt
269 rules to establish criteria for dairy farms which provide
270 reasonable assurance that state nitrate groundwater quality
271 standards will not be violated and which, provided such criteria
272 are met, shall prohibit the Department of Environmental
273 Protection from instituting proceedings against any dairy farmer
274 under ~~the provisions of~~ s. 376.307(5) and shall provide a
275 presumption of compliance with safe nitrate groundwater quality
276 standards.

277 (d) This section, except for subsection (2), does not apply
278 to the manufacture, mixing, or blending of fertilizer, including
279 fertilizer containing sludge, residuals, or septage.

280 (9) ~~(8)~~ EXPIRATION OF PROVISIONS.—Subsections (1), (2), (3),
281 (5) ~~(4)~~, and (7) ~~(6)~~ expire on December 31, 2032 ~~2022~~.
282 Subsections (4), (6), ~~(5)~~ and (8) ~~(7)~~ expire on December 31,
283 2037 ~~2027~~.

284 Section 3. Paragraph (c) of subsection (7) of section
285 403.067, Florida Statutes, is amended to read:

286 403.067 Establishment and implementation of total maximum
287 daily loads.—

288 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
289 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

290 (c) *Best management practices*.—

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291 1. The department, in cooperation with the water management
292 districts and other interested parties, as appropriate, may
293 develop suitable interim measures, best management practices, or
294 other measures necessary to achieve the level of pollution
295 reduction established by the department for nonagricultural
296 nonpoint pollutant sources in allocations developed pursuant to
297 subsection (6) and this subsection. These practices and measures
298 may be adopted by rule by the department and the water
299 management districts and, where adopted by rule, shall be
300 implemented by those parties responsible for nonagricultural
301 nonpoint source pollution.

302 2. The Department of Agriculture and Consumer Services may
303 develop and adopt by rule pursuant to ss. 120.536(1) and 120.54
304 suitable interim measures, best management practices, or other
305 measures necessary to achieve the level of pollution reduction
306 established by the department for agricultural pollutant sources
307 in allocations developed pursuant to subsection (6) and this
308 subsection or for programs implemented pursuant to paragraph
309 (12)(b). These practices and measures may be implemented by
310 those parties responsible for agricultural pollutant sources,
311 and the department, the water management districts, and the
312 Department of Agriculture and Consumer Services shall assist
313 with implementation. In the process of developing and adopting
314 rules for interim measures, best management practices, or other
315 measures, the Department of Agriculture and Consumer Services
316 shall consult with the department, the Department of Health, the
317 water management districts, representatives from affected
318 farming groups, and environmental group representatives. Such
319 rules must also incorporate provisions for a notice of intent to

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320 implement the practices and a system to assure the
321 implementation of the practices, including site inspection and
322 recordkeeping requirements.

323 3. When interim measures, best management practices, or
324 other measures are adopted by rule, the effectiveness of such
325 practices in achieving the levels of pollution reduction
326 established in allocations developed by the department pursuant
327 to subsection (6) and this subsection or in programs implemented
328 pursuant to paragraph (12)(b) must be verified at representative
329 sites by the department. The department shall use its best
330 professional judgment in making the initial verification that
331 the best management practices are reasonably expected to be
332 effective and, when applicable, shall notify the appropriate
333 water management district or the Department of Agriculture and
334 Consumer Services of its initial verification before the
335 adoption of a rule proposed pursuant to this paragraph.
336 Implementation, in accordance with rules adopted under this
337 paragraph, of practices that have been initially verified to be
338 effective, or verified to be effective by monitoring at
339 representative sites, by the department, or are authorized by s.
340 576.045, shall provide a presumption of compliance with state
341 water quality standards and release from s. 376.307(5) for those
342 pollutants addressed by the practices, and the department is not
343 authorized to institute proceedings against the owner of the
344 source of pollution to recover costs or damages associated with
345 the contamination of surface water or groundwater caused by
346 those pollutants. Research projects funded by the department, a
347 water management district, or the Department of Agriculture and
348 Consumer Services to develop or demonstrate interim measures or

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349 best management practices shall be granted a presumption of
350 compliance with state water quality standards and a release from
351 s. 376.307(5). The presumption of compliance and release is
352 limited to the research site and only for those pollutants
353 addressed by the interim measures or best management practices.
354 Eligibility for the presumption of compliance and release is
355 limited to research projects on sites where the owner or
356 operator of the research site and the department, a water
357 management district, or the Department of Agriculture and
358 Consumer Services have entered into a contract or other
359 agreement that, at a minimum, specifies the research objectives,
360 the cost-share responsibilities of the parties, and a schedule
361 that details the beginning and ending dates of the project.

362 4. When water quality problems are demonstrated, despite
363 the appropriate implementation, operation, and maintenance of
364 best management practices and other measures required by rules
365 adopted under this paragraph, the department, a water management
366 district, or the Department of Agriculture and Consumer
367 Services, in consultation with the department, shall institute a
368 reevaluation of the best management practice or other measure.
369 If the reevaluation determines that the best management practice
370 or other measure requires modification, the department, a water
371 management district, or the Department of Agriculture and
372 Consumer Services, as appropriate, shall revise the rule to
373 require implementation of the modified practice within a
374 reasonable time period as specified in the rule.

375 5. Subject to subparagraph 6., the Department of
376 Agriculture and Consumer Services shall provide to the
377 department information obtained pursuant to subparagraph (d)3.

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378 6. Agricultural records relating to processes or methods of
379 production, costs of production, profits, or other financial
380 information held by the Department of Agriculture and Consumer
381 Services pursuant to subparagraphs 3., 4., and 5. or pursuant to
382 any rule adopted pursuant to subparagraph 2. are confidential
383 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
384 Constitution. Upon request, records made confidential and exempt
385 pursuant to this subparagraph shall be released to the
386 department or any water management district provided that the
387 confidentiality specified by this subparagraph for such records
388 is maintained.

389 7. Subparagraphs 1. and 2. do not preclude the department
390 or water management district from requiring compliance with
391 water quality standards or with current best management practice
392 requirements in any applicable regulatory program authorized by
393 law for the purpose of protecting water quality. Additionally,
394 subparagraphs 1. and 2. are applicable only to the extent that
395 they do not conflict with any rules adopted by the department
396 that are necessary to maintain a federally delegated or approved
397 program.

398 Section 4. This act shall take effect July 1, 2022.

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.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1186

INTRODUCER: Senator Albritton

SUBJECT: Agritourism

DATE: January 19, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	Favorable
2.			FT	
3.			AP	

I. Summary:

SB 1186 revises legislative intent regarding agritourism to remove the requirement that agritourism be a secondary stream of revenue for a bona fide agricultural operation. Additionally, it clarifies that an agricultural land classification may not be denied or revoked solely due to the conduct of agritourism on a bona fide farm or due to the construction, alteration, or maintenance of a nonresidential farm building, structure, or facility on a bona fide farm which is used to conduct agritourism activities.

The bill does not affect state revenue.

The bill takes effect July 1, 2022.

II. Present Situation:

Agritourism Activity

Current law provides legislative intent that agritourism is a way to support agricultural production by providing a secondary stream of revenue and by educating the general public about the agricultural industry.¹ “Agritourism activity” is defined under “Agricultural Development” in chapter 570, F.S., the Department of Agriculture and Consumer Services chapter. It includes any agricultural related activity that is consistent with a bona fide farm, livestock operation, or ranch or in a working forest which allows the general public to view or enjoy its activities for recreational, entertainment, or educational purposes. These activities include farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions. An agritourism activity does not include the building of new or additional structures or facilities that are intended primarily to house, shelter, transport,

¹ Section 570.85(1), F.S.

or otherwise accommodate the general public. An activity is deemed to be an agritourism activity regardless of whether the participant paid to participate in the activity.²

In order to promote and perpetuate agriculture throughout the state, farm operations are encouraged to engage in agritourism. Conducting agritourism activities on a bona fide farm or on agricultural lands does not limit, restrict, or divest the land of that classification as long as such lands remain used primarily for bona fide agricultural purposes.³

Assessment of Agricultural Lands

The ad valorem tax or “property tax” is an annual tax levied by counties, municipalities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year.⁴ The property appraiser annually determines the “just value”⁵ of property within the taxing authority and then applies relevant exclusions, assessment limitations, and exemptions to determine the property’s “taxable value.”⁶

The Florida Constitution limits the Legislature’s authority to provide for property valuations at less than just value, unless expressly authorized.⁷ The just valuation standard generally requires the property appraiser to consider the highest and best use of property;⁸ however, the Florida Constitution authorizes certain types of property to be valued based on their current use (classified use assessments), which often result in lower assessments. Agricultural land is one example of property that is assessed based on its current use rather than its fair market value.⁹

Dwellings and nonresidential farm buildings situated on agricultural lands do not inherently disqualify the land from being assessed as agricultural land so long as the improvements are an integral part of the entire agricultural operation. When there are improvements made to the land, the improvement’s value is assessed at just value and added to the agriculturally assessed value.¹⁰

² Section 570.86(1), F.S.

³ Section 570.87, F.S.

⁴ Both real property and tangible personal property are subject to tax. Section 192.001(12), F.S., defines “real property” as land, buildings, fixtures, and all other improvements to land. Section 192.001(11)(d), F.S., defines “tangible personal property” as all goods, chattels, and other articles of value capable of manual possession and whose chief value is intrinsic to the article itself.

⁵ Property must be valued at “just value” for purposes of property taxation, unless the Florida Constitution provides otherwise. FLA. CONST. art VII, s. 4. Just value has been interpreted by the courts to mean the fair market value that a willing buyer would pay a willing seller for the property in an arm’s-length transaction. *See Walter v. Shuler*, 176 So. 2d 81 (Fla. 1965); *Deltona Corp. v. Bailey*, 336 So. 2d 1163 (Fla. 1976); *Southern Bell Tel. & Tel. Co. v. Dade County*, 275 So. 2d 4 (Fla. 1973).

⁶ *See* s. 192.001(2) and (16), F.S.

⁷ *See* FLA. CONST. art. VII, s. 4.

⁸ Section 193.011(2), F.S.

⁹ FLA. CONST. art. VII, s. 4(a).

¹⁰ Rule 12D-5.003, F.A.C.

III. Effect of Proposed Changes:

SB 1186 revises the legislative intent regarding agritourism in s. 570.85(1), F.S., to remove the requirement that agritourism be a secondary stream of revenue for a bona fide agricultural operation. It also prohibits an agricultural land classification from being denied or revoked due to the construction, alteration, or maintenance of nonresidential farm building, structure, or facility on a bona fide farm which is used to conduct agritourism activities. It further states that as long as the building, structure, or facility is an integral part of the agricultural operation then the land it occupies shall be considered agricultural in nature. The buildings, structures, and facilities and all other improvements on the land must be assessed at their just value and added to the agriculturally assessed value of the land.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(b) of the Florida Constitution provides that, except upon the approval of each house of the Legislature by a two-thirds vote of the membership, the Legislature may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. However, the mandates requirements do not apply to laws having an insignificant impact,^{11, 12} which is \$2.3 million or less for Fiscal Year 2022-2023.¹³

The Revenue Estimating Conference's analysis of this bill resulted in an estimate that may either be positive or negative to local property tax revenue, which is due to the uncertainty of the various property appraisers' assessment practices. However, it was apparent that the increase or decrease to local property tax revenue would be insignificant. Therefore, this bill may not be a mandate subject to the requirements of Art. VII, s. 18(b) of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹¹ FLA. CONST. art. VII, s. 18(d).

¹² An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See Florida Senate Committee on Community Affairs, *Interim Report 2012-115: Insignificant Impact*, (September 2011), available at: <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Jan. 15, 2022).

¹³ Based on the Demographic Estimating Conference's estimated population adopted on March 3, 2021. The conference packet is available at <http://edr.state.fl.us/Content/conferences/population/archives/210303demographic.pdf> (last visited Jan. 15, 2022).

D. State Tax or Fee Increases:

This bill does not create or raise a state tax or fee. Therefore, the requirements of Art. VII, s. 19 of the Florida Constitution do not apply.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

The Revenue Estimating Conference estimates that the bill may either increase or decrease local property taxes by an insignificant amount.

B. Private Sector Impact:

Agricultural operations whose agritourism revenue exceeds the revenue from its bona fide farming operation would be able to keep their agricultural property exemption. Additionally, such operations would not risk losing such exemption due to the construction, alteration, or maintenance of a nonresidential farm building, structure, or facility.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 570.85 and 570.87 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 Albritton

26-01016-22

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1 A bill to be entitled
2 An act relating to agritourism; amending s. 570.85,
3 F.S.; revising legislative intent regarding the
4 promotion of agritourism; amending s. 570.87, F.S.;
5 prohibiting the denial or revocation of a property's
6 agricultural classification under certain
7 circumstances; requiring certain farm buildings,
8 structures, facilities, or other improvements to be
9 assessed according to specified provisions; providing
10 an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (1) of section 570.85, Florida
15 Statutes, is amended to read:

16 570.85 Agritourism.—

17 (1) It is the intent of the Legislature to promote
18 agritourism as a way to support bona fide agricultural
19 production by providing a ~~secondary~~ stream of revenue and by
20 educating the general public about the agricultural industry. It
21 is also the intent of the Legislature to eliminate duplication
22 of regulatory authority over agritourism as expressed in this
23 section. Except as otherwise provided for in this section, and
24 notwithstanding any other ~~provision of~~ law, a local government
25 may not adopt or enforce a local ordinance, regulation, rule, or
26 policy that prohibits, restricts, regulates, or otherwise limits
27 an agritourism activity on land classified as agricultural land
28 under s. 193.461. This subsection does not limit the powers and
29 duties of a local government to address substantial offsite

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30 impacts of agritourism activities or an emergency as provided in
31 chapter 252.

32 Section 2. Subsection (1) of section 570.87, Florida
33 Statutes, is amended to read:

34 570.87 Agritourism participation impact on land
35 classification.—

36 (1) In order to promote and perpetuate agriculture
37 throughout this ~~the~~ state, farm operations are encouraged to
38 engage in agritourism. An agricultural classification pursuant
39 to s. 193.461 may not be denied or revoked solely due to the
40 conduct of agritourism activity on a bona fide farm or the
41 construction, alteration, or maintenance of a nonresidential
42 farm building, structure, or facility on a bona fide farm which
43 is used to conduct agritourism activities. So long as the
44 building, structure, or facility is an integral part of the
45 agricultural operation, the land it occupies shall be considered
46 agricultural in nature. However, such buildings, structures, and
47 facilities, and other improvements on the land, must be assessed
48 under s. 193.011 at their just value and added to the
49 agriculturally assessed value of the land ~~on agricultural lands~~
50 ~~classified as such pursuant to s. 193.461 does not limit,~~
51 ~~restrict, or divest the land of that classification as long as~~
52 ~~such lands classified as agricultural remain used primarily for~~
53 ~~bona fide agricultural purposes.~~

54 Section 3. This act shall take effect July 1, 2022.

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.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1450

INTRODUCER: Senator Jones

SUBJECT: Healthy Food Financing Initiative Program

DATE: January 19, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fink	Becker	AG	Favorable
2.			AEG	
3.			AP	

I. Summary:

SB 1450 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 also 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 provides an effective date of July 1, 2022.

II. Present Situation:

Healthy Food Financing Initiative Program

This 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 communities. 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 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.¹

For the 2016-2017 fiscal year, \$500,000 in non-recurring general revenue was appropriated to the department to implement the program.²

Food Insecurity in Florida

This year, 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.³ 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.⁴ 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 residents. 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 supermarkets. Public and private entities have started a range of food access initiatives in these counties, though resource constraints present a challenge. 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 transportation.

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

III. Effect of Proposed Changes:

Section 1 renames ch. 595, F.S., entitled “School Food and Nutrition Services,” as “Food and Nutrition”.

¹ Section 500.81, F.S.

² Ch 2016-221, Laws of Florida.

³ Office of Program Policy and Government Accountability, “Geographic Access to Healthy Food in Florida,” (December 27, 2021).

⁴ *Id.* at 10

Section 2 transfers and renumbers 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.

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 Support from 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.

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.

The bill requires that a program must 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 accept Women, Infants, and Children benefits. Additionally, independent grocery stores and

supermarkets must allocate at least 30 percent of floor food retail space for the sale of perishable foods. All program participants must comply with all data collection and reporting, and promote the hiring of local residents as well as Florida-based grocers.

The bill also requires certain requirements for program eligibility. Projects must:

- Be located in an underserved community;
- 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; and
- Fund at least three eligible projects annually

The bill also 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 shall include economic impact and health outcomes data and other factors as determined by the department.

The bill requires the department shall adopt rules to implement the bill.

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

Section 8 provides the bill will take effect on July 1, 2022.

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 2016.⁵

VI. Technical Deficiencies:

None.

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, and 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.

⁵ DACS, Agency Analysis of 2016 House Bill 153, p. 3 (October 19, 2015) (on file with the Senate Committee on Agriculture).

By Senator Jones

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1 A bill to be entitled
2 An act relating to the Healthy Food Financing
3 Initiative program; providing a directive to the
4 Division of Law Revision; transferring, renumbering,
5 and amending s. 500.81, F.S.; redefining the term
6 “underserved community”; revising requirements for the
7 administration of and participation in the Healthy
8 Food Financing Initiative program; providing program
9 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 and provide the Legislature with a
17 specified report; specifying that program funding is
18 subject to and provided from certain appropriations;
19 deleting a prohibition limiting the amount the
20 Department of Agriculture and Consumer Services may
21 distribute among program recipients; amending ss.
22 595.401, 595.402, 595.404, 595.408, and 595.501, F.S.;
23 conforming provisions to changes made by the act;
24 providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. The Division of Law Revision is directed to
29 rename chapter 595, Florida Statutes, entitled “School Food and

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30 Nutrition Services," as "Food and Nutrition."

31 Section 2. Section 500.81, Florida Statutes, is
32 transferred, renumbered as section 595.801, and amended to read:

33 595.801 ~~500.81~~ Healthy Food Financing Initiative.—

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

35 (a) "Community facility" means a property owned by a
36 nonprofit or for-profit entity in which health and human
37 services are provided and space is offered in a manner that
38 provides increased access to, or delivery or distribution of,
39 food or other agricultural products to encourage public
40 consumption and household purchases of fresh produce or other
41 healthy food to improve the public health and well-being of low-
42 income children, families, and older adults.

43 (b) "Department" means the Department of Agriculture and
44 Consumer Services.

45 (c) "Independent grocery store or supermarket" means an
46 independently owned grocery store or supermarket whose parent
47 company does not own more than 40 grocery stores throughout the
48 country based upon ownership conditions as identified in the
49 latest Nielsen TDLinx Supermarket/Supercenter database.

50 (d) "Low-income community" means a population census tract,
51 as reported in the most recent United States Census Bureau
52 American Community Survey, which meets one of the following
53 criteria:

- 54 1. The poverty rate is at least 20 percent;
- 55 2. In the case of a low-income community located outside of
56 a metropolitan area, the median family income does not exceed 80
57 percent of the statewide median family income; or
- 58 3. In the case of a low-income community located inside of

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59 a metropolitan area, the median family income does not exceed 80
60 percent of the statewide median family income or 80 percent of
61 the metropolitan median family income, whichever is greater.

62 (e) "Program" means the Healthy Food Financing Initiative
63 established by the department.

64 (f) "Underserved community" means a low-income community
65 ~~distressed urban, suburban, or rural geographic area~~ where a
66 substantial number of residents have low access to a full-
67 service supermarket or grocery store. An area with limited
68 supermarket access must be:

69 1. A census tract, as determined to be an area with low
70 access by the United States Department of Agriculture, as
71 identified in the Food Access Research Atlas;

72 2. Identified as a limited supermarket access area as
73 recognized by the Community Development Financial Institutions
74 Fund of the United States Department of the Treasury; or

75 3. Identified as an area with low access to a supermarket
76 or grocery store through a methodology that has been adopted for
77 use by another governmental initiative, or a well-established or
78 well-regarded philanthropic healthy food initiative.

79 (2) HEALTHY FOOD FINANCING INITIATIVE PROGRAM.—The
80 department shall establish a Healthy Food Financing Initiative
81 program that provides grants and loans ~~is composed of and~~
82 ~~coordinates the use of grants from any source; federal, state,~~
83 ~~and private loans from a governmental entity or institutions~~
84 ~~regulated by a governmental entity; federal tax credits; and~~
85 ~~other types of financial assistance~~ for the construction,
86 rehabilitation, or expansion of independent grocery stores,
87 supermarkets, community facilities, or other retail outlets

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88 ~~structures~~ to increase access to affordable fresh produce and
89 other nutritious food in underserved communities.

90 (3) THIRD-PARTY ADMINISTRATORS; QUALIFICATIONS.-

91 (a) The department may contract with one or more qualified
92 nonprofit organizations or Florida-based federally certified
93 community development financial institutions to administer the
94 program through a public-private partnership.

95 (b) A qualified nonprofit organization must be able to
96 demonstrate all of the following:

97 1. Prior experience in healthy food financing.

98 2. An exemption from taxation under s. 501(c)(3) of the
99 Internal Revenue Code.

100 3. The ability to successfully manage and operate lending
101 and grant programs.

102 4. The ability to assume full financial risk for loans made
103 under the program.

104 (c) Eligible community development financial institutions
105 must be able to demonstrate all of the following:

106 1. Prior experience in healthy food financing.

107 2. Certification by ~~Support from~~ the Community Development
108 Financial Institutions Fund of the United States Department of
109 the Treasury.

110 3. The ability to successfully manage and operate lending
111 and tax credit programs.

112 4. The ability to assume full financial risk for loans made
113 under the program ~~this initiative.~~

114 (d) Any third-party administrator that contracts with the
115 department shall provide quarterly updates to the department.

116 (4) ~~(b)~~ DUTIES OF THE DEPARTMENT OR THIRD-PARTY

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117 ADMINISTRATOR.—The department or a third-party administrator
118 shall do all of the following:

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

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

131 ~~a. Be located in an underserved community;~~

132 ~~b. Primarily serve low-income communities; and~~

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

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

144 ~~(4) (a) The Office of Program Policy Analysis and Government~~
145 ~~Accountability shall review the program and data collected from~~

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146 ~~the department after a term of 7 years and report to the~~
147 ~~President of the Senate and the Speaker of the House of~~
148 ~~Representatives. The report shall include, but is not limited~~
149 ~~to, health impacts based on data collected by the state on~~
150 ~~diabetes, heart disease and other obesity-related diseases, and~~
151 ~~other factors as determined by the department.~~

152 ~~(b) If the report determines the program to be unsuccessful~~
153 ~~after 7 years, the department shall create guidelines for unused~~
154 ~~funds to be returned to the initial investor.~~

155 (5) PROGRAM PARTICIPANTS.—Entities that may apply for
156 funding under the program include ~~A~~ for-profit entities ~~entity,~~
157 including a convenience stores ~~store~~ or a fueling stations; ~~and~~
158 station, ~~or a not-for-profit entities~~ entity, including, but not
159 limited to, a sole proprietorships, partnerships ~~proprietorship,~~
160 partnership, limited liability companies, corporations,
161 cooperatives ~~company, corporation, cooperative,~~ nonprofit
162 organizations ~~organization,~~ nonprofit community development
163 entities ~~entity,~~ or private universities ~~university,~~ may apply
164 ~~for financing.~~

165 (a) A program ~~An~~ applicant for financing must do all of the
166 following:

167 1. ~~(a)~~ Demonstrate the capacity to successfully implement
168 the project and the likelihood that the project will be
169 economically self-sustaining. ~~;~~

170 2. ~~(b)~~ Demonstrate the ability to repay the loan. ~~;~~ and

171 ~~(c) Agree, as an independent grocery store or supermarket,~~
172 ~~for at least 5 years, to:~~

173 3. ~~1.~~ Accept Supplemental Nutrition Assistance Program
174 benefits ~~and~~ ;

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175 ~~2. Apply to accept~~ Special Supplemental Nutrition Program
176 for Women, Infants, and Children benefits. ~~and accept such~~
177 ~~benefits, if approved;~~

178 4.3. For independent grocery stores and supermarkets,
179 allocate at least 30 percent of floor ~~food retail~~ space for the
180 sale of perishable foods, which may include fresh or frozen
181 dairy products, fresh produce, and fresh meats, poultry, and
182 fish.†

183 ~~5.4. Comply with all data collection and reporting~~
184 ~~requirements established by the department.† and~~

185 ~~6.5. Promote the hiring of local residents.~~

186 (b) The department shall give preference to Florida-based
187 grocers, local business owners with experience in grocery
188 stores, and grocers and business owners with a business plan
189 that includes written documentation of opportunities to purchase
190 from farmers and growers in this state before seeking out-of-
191 state purchases.

192 (6) PROJECT ELIGIBILITY.—

193 (a) To be eligible for funding under the program, a project
194 must:

195 1. Be located in an underserved community; and

196 2. Provide for the construction of independent grocery
197 stores or supermarkets; renovation, expansion, and
198 infrastructure upgrades to stores and community facilities that
199 improve the availability and quality of fresh produce and other
200 healthy foods; or other projects that create or improve access
201 to affordable fresh produce which meet the intent of this
202 section, as determined by the department or a third-party
203 administrator.

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204 ~~(b) Projects including, but not limited to, corner stores,~~
205 ~~bodegas, or other types of nontraditional grocery stores~~ that do
206 not meet the 30 percent space minimum in subparagraph (5) (a) 4.
207 may 3. ~~can~~ still qualify for funding if such funding will be
208 used for refrigeration, displays, or other one-time capital
209 expenditures to promote the sale of fresh produce and other
210 healthy foods.

211 ~~(6) In determining which qualified projects to finance, the~~
212 ~~department or third party administrator shall:~~

213 ~~(a) Give preference to local Florida-based grocers or local~~
214 ~~business owners with experience in grocery stores and to grocers~~
215 ~~and business owners with a business plan model that includes~~
216 ~~written documentation of opportunities to purchase from Florida~~
217 ~~farmers and growers before seeking out-of-state purchases;~~

218 ~~(b) Consider the level of need in the area to be served;~~

219 ~~(c) Consider the degree to which the project will have a~~
220 ~~positive economic impact on the underserved community, including~~
221 ~~the creation or retention of jobs for local residents;~~

222 ~~(d) Consider the location of existing independent grocery~~
223 ~~stores, supermarkets, or other markets relevant to the~~
224 ~~applicant's project and provide the established entity the right~~
225 ~~of first refusal for such project; and~~

226 ~~(e) Consider other criteria as determined by the~~
227 ~~department.~~

228 (c) (7) A minimum of three eligible projects shall be funded
229 annually. Financing under this program for eligible projects may
230 be used for any of the following purposes:

231 1. (a) Site acquisition and preparation.

232 2. (b) Construction and build-out costs.

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

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262 appropriation by the Legislature as provided in s. 287.0582. If
263 the department contracts with a third-party administrator, funds
264 must be advanced from the department's annual appropriation to
265 the third-party administrator in order to implement this
266 section.

267 (9) (8) RULES.—The department shall adopt rules to
268 administer this section.

269 ~~(9) The department may not distribute more than \$500,000~~
270 ~~among more than three recipients.~~

271 Section 3. Section 595.401, Florida Statutes, is amended to
272 read:

273 595.401 Short title.—Sections 595.401-595.601 ~~This chapter~~
274 may be cited as the "Florida School Food and Nutrition Act."

275 Section 4. Section 595.402, Florida Statutes, is amended to
276 read:

277 595.402 Definitions.—As used in this act ~~chapter~~, the term:

278 (1) "Commissioner" means the Commissioner of Agriculture.

279 (2) "Department" means the Department of Agriculture and
280 Consumer Services.

281 (3) "Program" means any one or more of the school food and
282 nutrition service programs that the department has
283 responsibility over including, but not limited to, the National
284 School Lunch Program, the Special Milk Program, the School
285 Breakfast Program, the Summer Food Service Program, the Fresh
286 Fruit and Vegetable Program, and any other program that relates
287 to school nutrition.

288 (4) "School breakfast program" means a program authorized
289 by s. 4 of the Child Nutrition Act of 1966, as amended, and
290 administered by the department.

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291 (5) "School district" means any of the 67 county school
292 districts, including the respective district school board.

293 (6) "Sponsor" means any entity that is conducting a program
294 under a current agreement with the department.

295 (7) "Summer nutrition program" means one or more of the
296 programs authorized under 42 U.S.C. s. 1761.

297 (8) "Universal school breakfast program" means a program
298 that makes breakfast available at no cost to all students
299 regardless of their household income.

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

302 595.404 School food and other nutrition programs; powers
303 and duties of the department.—The department has the following
304 powers and duties:

305 (3) To fully cooperate with the United States Government
306 and its agencies and instrumentalities so that the department
307 may receive the benefit of all federal financial allotments and
308 assistance possible to carry out the purposes of this act
309 ~~chapter~~.

310 (9) To employ such persons as are necessary to perform its
311 duties under this act ~~chapter~~.

312 (10) To adopt rules covering the administration, operation,
313 and enforcement of the program and the farmers' market nutrition
314 program, as well as to implement ~~the provisions of~~ this act
315 ~~chapter~~.

316 (11) To adopt and implement an appeal process by rule, as
317 required by federal regulations, for applicants and participants
318 under the programs implemented pursuant to this act ~~chapter~~,
319 notwithstanding ss. 120.569 and 120.57-120.595.

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320 (13) To advance funds from the program's annual
321 appropriation to a summer nutrition program sponsor, when
322 requested, in order to implement ~~the provisions of this act~~
323 ~~chapter~~ and in accordance with federal regulations.

324 Section 6. Paragraph (b) of subsection (1) and subsections
325 (2) and (4) of section 595.408, Florida Statutes, are amended to
326 read:

327 595.408 Food distribution services; department
328 responsibilities and functions.—

329 (1)

330 (b) The department shall determine the benefits each
331 applicant or recipient of assistance is entitled to receive
332 under this act ~~chapter~~, provided that each applicant or
333 recipient is a resident of this state and a citizen of the
334 United States or is an alien lawfully admitted for permanent
335 residence or otherwise permanently residing in the United States
336 under color of law.

337 (2) The department shall cooperate fully with the United
338 States Government and its agencies and instrumentalities so that
339 the department may receive the benefit of all federal financial
340 allotments and assistance possible to carry out the purposes of
341 this act ~~chapter~~.

342 (4) This act ~~chapter~~ does not limit, abrogate, or abridge
343 the powers and duties of any other state agency.

344 Section 7. Subsection (2) of section 595.501, Florida
345 Statutes, is amended to read:

346 595.501 Corrective action plans; penalties.—

347 (2) Any person or sponsor that violates ~~any provision of~~
348 this act ~~chapter~~ or any rule adopted thereunder or otherwise

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349 does not comply with the program is subject to a suspension or
350 revocation of their agreement, loss of reimbursement, or a
351 financial penalty in accordance with federal or state law, or
352 both. This section does not restrict the applicability of any
353 other law.

354 Section 8. This act shall take effect July 1, 2022.

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.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1656

INTRODUCER: Senator Rodriguez

SUBJECT: School Breakfast Programs

DATE: January 19, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	Favorable
2.			AEG	
3.			AP	

I. Summary:

SB 1656 directs the Department of Agriculture and Consumer Services (department) to reimburse sponsors for each school breakfast meal that meets certain requirements. The reimbursement must be 30 cents or the difference between the United States Department of Agriculture reimbursement rate for a free breakfast meal and the reduced-price breakfast meal, whichever is greater.

The department estimates this will have a negative fiscal impact. See Section V Fiscal Impact Statement.

The bill takes effect July 1, 2022.

II. Present Situation:

School Nutrition Program Requirements

Under s. 595.405, F.S., district school boards must adopt policies to provide for an appropriate food and nutrition program for students consistent with federal law and Department of Agriculture and Consumer Services (department) rules.¹ Each district school board is required to implement school breakfast programs that make breakfast meals available to all students in each school that serves any combination of grades kindergarten through 5.

District school boards are required to annually set prices for breakfast meals at rates that, combined with federal reimbursements and state allocations, are sufficient to defray costs of school breakfast programs without requiring allocations from the district's operating funds.²

¹ Section 595.405, F.S.

² Except if the district school board approves lower rates. See s. 595.405(3), F.S.

District school boards are encouraged to provide universal, free school breakfast meals to all students in each elementary, middle, and high school. A universal school breakfast program must be implemented in each school in which 80 percent or more of the students are eligible for free or reduced-price meals, unless the district school board, after considering public testimony at two or more regularly scheduled board meetings, decides not to implement such a program in such schools.³

To increase school breakfast and universal school breakfast program participation, each district school board must, to the maximum extent practicable, make breakfast meals available to students through alternative service models as described in publications of the Food and Nutrition Service of the U.S. Department of Agriculture (USDA) for the federal School Breakfast Program.⁴

Florida Free and Reduced Priced School Meal Participation

Currently, roughly 52 percent of all students enrolled in a Florida school that provides access to breakfast meals consume school breakfast.⁵ Children from families with incomes between 130 percent (\$34,450 for a family of four) and 185 percent (\$49,025 for a family of four) of the poverty level are eligible for reduced-price meals, where a student pays 30 cents for breakfast and 40 cents for lunch.⁶

The federal rate of reimbursement has not kept pace with the cost to produce a breakfast meal. A recent USDA study showed that the full cost of producing school meals exceeds reported costs by an average of 19 percent.⁷ According to the School Nutrition Association's estimates, U.S. schools will incur a loss of about \$5 million to \$8 million each school day in order to feed 30 million children.⁸ Without sufficient federal resources, many states and school districts often have to rely on the sales of popular but less nutritious foods, like pizza, french fries, and sodas to help generate the revenue needed to subsidize healthier meal options.

In some cases, higher food prices are forcing programs to question whether they can continue participating in the federal nutrition program altogether, meaning that fewer children may have access to healthy meals.

³ Section 595.405(5), F.S.

⁴ Section 595.405(6), F.S.

⁵ Food Research and Action Center, *School Breakfast Scorecard*, https://frac.org/wp-content/uploads/FRAC_BreakfastScorecard_2021.pdf (last visited January 19, 2022).

⁶ Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, *Poverty Guidelines*, available at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines> (last visited January 19, 2022).

⁷ U.S. House of Representatives, *Hearing before the Committee on Education and Labor*, available at <https://www.govinfo.gov/content/pkg/CHRG-110hrg43312/pdf/CHRG-110hrg43312.pdf> (last visited January 19, 2022).

⁸ School Nutrition Association, *Impact of COVID-19 on School Nutrition Programs*, available at https://schoolnutrition.org/uploadedFiles/6_News_Publications_and_Research/8_SNA_Research/Impact-of-Covid-19-on-School-Nutrition-Programs-Back-to-School-2020.pdf (last visited January 19, 2022).

III. Effect of Proposed Changes:

To eliminate the reduced-price copayment for school breakfast meals, SB 1656 directs the Department of Agriculture and Consumer Services (department) to reimburse sponsors for each breakfast meal that meets federal School Breakfast Program requirements and department rules and is served to a student who is eligible for reduced-price meals. The reimbursement must be 30 cents or the difference between the United States Department of Agriculture reimbursement rate for a free breakfast meal and the reduced-price breakfast meal, whichever is greater.

Sections (6), (7), and (8) of s. 595.405 are renumbered to accommodate this new section (6).

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:

The Department of Agriculture and Consumer Services estimates SB 1656 will have an impact of \$1,920,900 in fiscal year 2022-2023, \$2,324,289 in fiscal year 2023-2024, and \$2,708,469 in fiscal year 2024-2025.⁹

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 595.405 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.

⁹ Florida Department of Agriculture and Consumer Services, *FL Breakfast Policy Options Analysis* (on file with the Senate Committee on Agriculture).

By Senator Rodriguez

39-01633-22

20221656__

1 A bill to be entitled
2 An act relating to school breakfast programs; amending
3 s. 595.405, F.S.; requiring the Department of
4 Agriculture and Consumer Services to reimburse
5 sponsors for school breakfast meals that meet certain
6 requirements; providing a basis for the calculation of
7 the reimbursement; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

11 Section 1. Present subsections (6), (7), and (8) of section
12 595.405, Florida Statutes, are redesignated as subsections (7),
13 (8), and (9), respectively, and a new subsection (6) is added to
14 that section, to read:

15 595.405 School nutrition program requirements.—

16 (6) To eliminate the reduced-price copayment for school
17 breakfast meals, the department shall reimburse sponsors for
18 each breakfast meal that meets federal School Breakfast Program
19 requirements and department rules and is served to a student who
20 is eligible for reduced-price meals. The reimbursement must be
21 based on the greater of 30 cents or the difference between the
22 United States Department of Agriculture reimbursement rate for a
23 free breakfast meal and the reduced-price breakfast meal.

24 Section 2. This act shall take effect July 1, 2022.

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.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1832

INTRODUCER: Senator Brodeur

SUBJECT: Food Recovery

DATE: January 18, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	Pre-meeting
2.			AEG	
3.			AP	

I. Summary:

SB 1832 directs the Department of Agriculture and Consumer Services (department) to implement a pilot program to provide incentives to Florida agricultural companies to contribute high-quality fresh fruits and vegetables to food recovery entities in Florida, subject to appropriation. It provides guidance on how entities shall negotiate the price of produce and how the department shall reimburse the entities.

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, 2025. The bill grants the department rulemaking authority for the pilot program.

The bill appropriates \$5,000,000 in nonrecurring funds to the department to implement the pilot program.

The bill takes effect July 1, 2022.

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.¹ 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.² In helping to coordinate the

¹ Section 595.420 (1)(a), F.S.

² Section 595.420(1)(c), F.S.

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 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 1832 creates s. 595.420(8), F.S. The bill defines the terms "agricultural company" and "food recovery entity." The Department of Agriculture and Consumer Services (department) is directed to implement a pilot program to provide incentives to Florida agricultural companies to contribute high-quality fresh fruits and vegetables to food recovery entities in Florida, subject to appropriation. The goal of the program is to reach annual contributions of 50 million pounds of high-quality fresh fruits and vegetables from Florida growers to food recovery entities by July 1, 2025.

To encourage agricultural companies to contribute high-quality fruits and vegetables, the bill allows food recovery entities to negotiate the price per pound for produce and reimburse agricultural companies on a dollar-for-dollar basis for costs relating to picking, packing, precooling, and transporting high-quality fresh fruits and vegetables from the farm to the entity. Such produce must meet the United States Department of Agriculture Grade 1 or 2 standards and

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 January 18, 2022).

⁵ *Id.*

must be shipped within seven days of the harvest date. The shipping date may be modified based on the expected shelf life of the particular fruit or vegetable, as long as the modified date will not affect the grade 1 or 2 standards. The harvest date must be included on the invoice provided by the agricultural company to the food recovery entity.

The bill directs the department to reimburse entities on a dollar-for-dollar basis for the purchase of high-quality fresh fruits and vegetables from agricultural companies plus a ten cents per pound distribution reimbursement. To receive reimbursement an entity must submit an invoice as prescribed by the department, which includes, at a minimum, the following information:

- Ship date;
- Ship location by city;
- Harvest date;
- Packaging type and size;
- Delivery location by city;
- Delivery date;
- Received weight in total pounds for each crop;
- Total price per pound for each crop;
- Total invoice price paid; and
- Total pounds delivered.

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, 2025. The bill grants the department rulemaking authority for the pilot program.

The bill appropriates \$5,000,000 in nonrecurring funds for the 2022-2023 fiscal year to the department to implement the pilot program.

The bill takes effect July 1, 2022.

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:

Agricultural companies would benefit from having an additional market for their produce and Floridians would benefit from the increased availability of fresh produce from food recovery entities.

C. Government Sector Impact:

To implement the program, the Department of Agriculture and Consumer Services is given a nonrecurring appropriation of \$5,000,000 for the 2022-2023 fiscal year and rulemaking authority.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 595.420 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.

By Senator Brodeur

9-01413A-22

20221832__

1 A bill to be entitled
2 An act relating to food recovery; amending s. 595.420,
3 F.S.; defining terms; directing the Department of
4 Agriculture and Consumer Services, subject to
5 appropriation, to implement a pilot program to provide
6 incentives to Florida growers to contribute high-
7 quality fresh fruits and vegetables to food recovery
8 entities in the state; authorizing food recovery
9 entities to negotiate the purchase price of produce
10 and reimburse agricultural companies for certain
11 costs; providing produce shipping requirements;
12 requiring the department to reimburse food recovery
13 entities for certain costs; providing reimbursement
14 invoice requirements; requiring the department to
15 submit a report to the Governor and Legislature by a
16 specified date and to adopt rules; providing an
17 appropriation; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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

23 595.420 Food recovery; legislative intent; department
24 functions.—

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

26 1. "Agricultural company" means a fruit or vegetable
27 producer in the state that has an affiliated shipper and is
28 licensed under the United States Perishable Agricultural
29 Commodities Act.

9-01413A-22

20221832__

30 2. "Food recovery entity" means a nonprofit association
31 engaged in food recovery and distribution with at least 20 years
32 of operation in the state that has received a minimum of 10
33 million pounds of perishable produce annually for the last 3
34 years.

35 (b) Subject to appropriation, the department shall
36 implement a pilot program to provide incentives to Florida
37 agricultural companies to contribute high-quality fresh fruits
38 and vegetables to food recovery entities in the state. The goal
39 of the pilot program is to reach annual contributions of 50
40 million pounds of high-quality fresh fruits and vegetables from
41 Florida growers to food recovery entities by July 1, 2025.

42 (c) To encourage agricultural companies to contribute high-
43 quality fresh fruits and vegetables, a food recovery entity may
44 negotiate the price per pound for produce and reimburse
45 agricultural companies on a dollar-for-dollar basis for costs
46 relating to picking, packing, precooling, and transporting high-
47 quality fresh fruits and vegetables from the farm to the food
48 recovery entity. Such produce must meet the Unites States
49 Department of Agriculture grade 1 or 2 standards and must be
50 shipped within 7 days after the harvest date. The shipping date
51 may be modified based on the expected shelf life of a particular
52 fruit or vegetable, as long as the modified shipping date will
53 not affect the grade 1 or 2 standards. The harvest date must be
54 included on the invoice provided by the agricultural company to
55 the food recovery entity.

56 (d) The department shall reimburse food recovery entities
57 on a dollar-for-dollar basis for the purchase of high-quality
58 fresh fruits and vegetables from agricultural companies plus a

9-01413A-22

20221832__

59 10 cents per pound distribution reimbursement. To receive
60 reimbursement, a food recovery entity must submit an invoice as
61 prescribed by the department, which includes, at a minimum, the
62 following information:

- 63 1. Ship date.
- 64 2. Ship location by city.
- 65 3. Harvest date.
- 66 4. Packaging type and size.
- 67 5. Delivery location by city.
- 68 6. Delivery date.
- 69 7. Received weight in total pounds for each crop.
- 70 8. Total price per pound for each crop.
- 71 9. Total invoice price paid.
- 72 10. Total pounds delivered.

73 (e) The department shall submit a report on the pilot
74 program, including recommendations for legislation, to the
75 Governor, the President of the Senate, and the Speaker of the
76 House of Representatives by January 1, 2025.

77 (f) The department shall adopt rules to implement this
78 subsection.

79 Section 2. For the 2022-2023 fiscal year, the sum of \$5
80 million in nonrecurring funds is appropriated to the Department
81 of Agriculture and Consumer Services to implement a pilot
82 program pursuant to s. 595.420(8), Florida Statutes.

83 Section 3. This act shall take effect July 1, 2022.

1/19/22

Meeting Date

Ag

Committee

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
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SB 1000

Bill Number or Topic

Name

Jane West

Phone

904-671-4008

Amendment Barcode (if applicable)

Address

308 N. Monroe St

Street

Email

jwest@1000fof.org

Tallahassee FL

City

State

Zip

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:

1000 Friends of Florida

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 \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

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1/19/2022

Meeting Date

SB 1000

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name BETH ALVI

Phone 850-999-1028

Address 308 N. MONROE

Email Beth.Alvi@Audubon.org

Street

Jacksonville

City

FL

State

32312

Zip

Speaking: [] For [x] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing:

AUDUBON FLORIDA

[] 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)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

1/19/22

1000

Meeting Date

AG 110 SOB 8:30

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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name DAVID CULLEN

Phone 941-323-2404

Address 9830 ELM STREET

Email cullenasea@gmail.com

Street

OCEAN CITY

MD

21842

City

State

Zip

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:

Sierra Club Florida

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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1-19-22

Meeting Date

CS/SB 1000

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name Gary Hunter

Phone 850-567-5723

Address 119 S. Monroe St Suite 500

Email geryx@vogelgroupdc.com

Street

Tallahassee

City

32301

State

Zip

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: Florida Fruit & Vegetable Assoc

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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SB 1000

Bill Number or Topic

1/19/22

Meeting Date

S. Agriculture

Committee

Amendment Barcode (if applicable)

Name META CALDER

Phone 850-228-5900

Address 3740 RAJINE DR. Street

Email

TALL, FL 32312

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [] In Support [X] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] 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:

FLORIDA LEAGUE OF WOMEN VOTERS

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)

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S-001 (08/10/2021)

January 19, 2022

Meeting Date

Agriculture

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 1000

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Carlos Nathan**

Phone **850-617-7700**

Address **400 S. Monroe Street**

Email **carlos.nathan@fdacs.gov**

Street

Tallahassee

FL

32399

City

State

Zip

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:

FDACS

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

11/19/22

Meeting Date

1000

Bill Number or Topic

Ag

Committee

Amendment Barcode (if applicable)

Name Lindsay Cross

Phone

Address 1700 N Monroe 11-286

Email lindsay@fcvoters.org

Street

Tallah

FL

32303

City

State

Zip

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:

Florida conservation voters

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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SB 1000

Bill Number or Topic

1/9/22
Meeting Date

Agriculture
Committee

Amendment Barcode (if applicable)

Name Jim SPEATT

Phone 850-228-1296

Address 1195 Monroe St.
Street

Email jim@mcjuliastrategy.com

TLH FL 32301
City State Zip

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:

FLORIDA Nursery, Growers & LANDSCAPE Association

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

1000

Bill Number or Topic

11/19/22

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Agriculture

Committee

Amendment Barcode (if applicable)

227 7173

Name

Adam Basford

Phone

Address

516 N Adams St

Email

abasford@a.f.senate.gov

Street

Tallahassee FL 32301

City

State

Zip

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:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Associated Industries of FL

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 1000

Bill Number or Topic

01/19/22

Meeting Date

Senate Ag

Committee

Amendment Barcode (if applicable)

Name Matt Joyner - Florida Citrus Mutual

Phone 863-255-1638

Address 400 N. Broadway Ave

Email mattj@flcitrusmutual.com

Street

Barrow

City

FL

State

33830

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing:

FL Citrus Mutual

[] 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)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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SB 100
Bill Number or Topic

Amendment Barcode (if applicable)

1/19/22
Meeting Date
Senate Agriculture
Committee

Name Courtney Larkin

Phone 850 209 0061

Address 310 W. College Avenue
Street

Email Courtney.larkin@ffbf.org

Tallahassee FL 32301
City State Zip

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:

Florida Farm Bureau Federation

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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1-19-22

Meeting Date

SB 1186

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name Lisa Ard

Phone 850-284-5165

Address 6001 Veterans Memorial Dr

Email lisaard@myflorida.lobbyist.com

Street

Tallahassee FL

32309

City

State

Zip

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:

Florida Agritourism Association

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. 511.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

SB 1186

January 19, 2022

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name **Carlos Nathan**

Phone **850-617-7700**

Address **400 S. Monroe Street**

Email **carlos.nathan@fdacs.gov**

Street

Tallahassee

FL

32399

City

State

Zip

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:

FDACS

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 1186

1-19-22

Meeting Date

Bill Number or Topic

Agriculture

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Gary Hunter

Phone 850-567-5703

Address 119 S. Monroe St Suite 500

Email gary@vogelgroupdc.com

Street

Tallahassee FL 32301

City

State

Zip

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: Florida Fruit & Vegetable Association

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 1186

Bill Number or Topic

1/19/22

Meeting Date

Agriculture

Committee

Amendment Barcode (if applicable)

Name Courtney Larkin

Phone 850-209-0001

Address 310 N College Ave

Street

Email Courtney.larkin@ffbf.org

Tallahassee

City

FL

State

32301

Zip

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:

Florida Farm Bureau Federation

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.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

1450

02/19/2022

Meeting Date

Bill Number or Topic

Agriculture

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Bernadette Nwokedji

Phone (941) 321-3056

Address 1197 Western Pine Circle

Email bxnadette98@gmail.com

Street

Sarasota

FL

34240

City

State

Zip

Speaking: [X] 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:

[] 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.

S-001 (08/10/2021)

APPEARANCE RECORD

SB 1450

January 19, 2022

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name **Carlos Nathan**

Phone **850-617-7700**

Address **400 S. Monroe Street**

Email **carlos.nathan@fdacs.gov**

Street

Tallahassee

FL

32399

City

State

Zip

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:

FDACS

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. 511.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

1/19/2022

Meeting Date

1450

Bill Number or Topic

AGRICULTURE

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

(SEE-BEN-AH-LER)

Name

JEAN SIEBENALER

Phone

513-532-5408

Address

7502 Old Bay Pointe Rd

Email

j.siebenaler@gmail.com

Street

MILTON

FL

32583

City

State

Zip

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:

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 \(flsenate.gov\)](#)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 1656

Bill Number or Topic

Amendment Barcode (if applicable)

January 19, 2022
Meeting Date

Ag
Committee

Name Sky Beard

Phone 321.223.7695

Address 2694 Sam Snead St
Street

Email sbeard@strength.org

West Melbourne FL 32904
City State Zip

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:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

No Kid Hungry

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 \(flsenate.gov\)](#)

S-001 (08/10/2021)

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

APPEARANCE RECORD

SB 1656

January 19, 2022

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name **Carlos Nathan**

Phone **850-617-7700**

Address **400 S. Monroe Street**

Email **carlos.nathan@fdacs.gov**

Street

Tallahassee

FL

32399

City

State

Zip

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:

FDACS

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. 511.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1656
Bill Number or Topic

Amendment Barcode (if applicable)

1/19/2022
Meeting Date
Agriculture
Committee

Name Karen Woodall Phone 850-321-9386

Address 579 E. Call St. Email fcfp@japhoo.com

Tallahassee FL 32301
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:
FI Center for Fiscal and Economic Policy

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 \(flisenate.gov\)](https://www.flisenate.gov/2020-2022JointRules.pdf)

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

11656 82

The Florida Senate APPEARANCE RECORD

Bill Number or Topic

Amendment Barcode (if applicable)

01/19/2022

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Agriculture 1105

Committee

407-855-7604

Phone

Kathleen Murphy

Name

legislator@floridapta.org

Email

1747 Central Florida Parkway

Address

Orlando FL 32809

Street

City

State

Zip

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:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida PTA

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 \(flsenate.gov\)](#)

S-001 (08/10/2021)

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

The Florida Senate

APPEARANCE RECORD

1/19/2022

Meeting Date

732

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

AGRICULTURE

Committee

(SEE-BEN-AH-LER)

Amendment Barcode (if applicable)

Name

JEAN SIEBENALER

Phone

513-532-5408

Address

7502 Old Bay Pointe Rd

Email

J.siebenaler@gmail.com

Street

MILTON

FL

32583

City

State

Zip

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:

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 \(flsenate.gov\)](#)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

732

Bill Number or Topic

1/19/2022

Meeting Date

Agriculture

Committee

Amendment Barcode (if applicable)

Name

JON ESTORMES

Phone

310-714-8853

Address

503 10th St W.

Email

JON@SUNRIPECERTIFIED.COM

Street

PALMETTO

FLA.

34221

City

State

Zip

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:

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

732

Bill Number or Topic

1/19/2022

Meeting Date

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Nezahualcoyotl Xihhtcaalli

Phone

(407) 886-5151

Address

1264 Apopka Blvd

Street

Email

neza@FloridaFarmworkers.org

Apopka, FL

City

State

32703

Zip

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:

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 \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

732

Bill Number or Topic

1/19/2022

Meeting Date

Agriculture

Committee

Amendment Barcode (if applicable)

305 979 0241

Name

Esteban Wood

Phone

Address

2946 Bird Ave

Email

Street

Miami

FL

33133

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

I am appearing without compensation or sponsorship.

PLEASE CHECK ONE OF THE FOLLOWING:

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 \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

732

Bill Number or Topic

1/19/2021

Meeting Date

Amendment Barcode (if applicable)

Committee

Name

Karen Woodall

Phone

850-321-9386

Address

579 E. Call St.

Email

kcfep@yahoo.com

Street

Tallahassee FL

32301

City

State

Zip

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:

FL Center for Fiscal & Economic Policy

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 \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 732

Bill Number or Topic

Amendment Barcode (if applicable)

1/19/2022

Meeting Date

Committee

Name

DANIEL KURCZI

Phone

(937) 219-7230

Address

505 FOREST CREEK RUN

Email

dkurczi@ovssr.org

Street

DE LEON SPRINGS

State

FL

32130

Zip

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:

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 \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

01/19/22

Meeting Date

SB 732

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Rodrigo Lozano

Phone 786-991-7085

Address 7375 Fairway Dr

Email rlozano@fiu.edu

Street

Miami Lakes FL 33014

City

State

Zip

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:

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

01/19/22

Meeting Date

SB 732

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name Jackson Oberlink

Phone 772 532 1371

Address 1605 Airport Dr.

Email jobberlink@cleo.institute.org

Street

Tallahassee

FL

32304

City

State

Zip

Speaking: [X] For [] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[X] 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. 511.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

732

Bill Number or Topic

01.19.2022

Meeting Date

Ag.

Committee

Amendment Barcode (if applicable)

Name

Ken Williams

Phone

813.493.7685

Address

7411 Meadow Dr

Street

Email

Tampa FL 33634

City

State

Zip

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:

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.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 732 Heat Illness Prevention
Bill Number or Topic

1/19/22 Meeting Date
Agriculture Committee

Amendment Barcode (if applicable)

Name CONSTANCE ALBRIGHT Phone 352 406 0045

Address 36800 LAKE NORRIS RD Email conniealbright@mac.com
Street

EUSTIS FL 32736
City State Zip

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:

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.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

1/19/22
Meeting Date

SB 732
Bill Number or Topic

Ag.
Committee

Amendment Barcode (if applicable)

Name Dr. Rich Templin

Phone 890-224-6926

Address 135 S. Monroe
Street

Email

Tallahassee FL 32301
City State Zip

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:

Florida AFL-CIO

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

732

11-19-2022

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Kammeron Brown

Phone (904) 614-8795

Address 1008 Redbud Ave

Email

Street

Tallahassee

FL

32303

City

State

Zip

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:

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

1-19-22

Meeting Date

732

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Justin Peacock

Phone

(850) 516-6181

Address

20569 County Rd 68 N

Email

Street

Robertsdale AL

36567

City

State

Zip

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:

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.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

4/19/2022

Meeting Date

732

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Barbara De Vane

Phone

850-321-9386

Address

625 Brevard

Street

Email

BarbaradeVane1@yahoo.com

City

Tallahassee, FL

State

Zip

32301

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:

Florida NOW

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.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

1/19/22

Meeting Date

732

Bill Number or Topic

AGRICULTURE

Committee

Amendment Barcode (if applicable)

Name REV DR RUSSELL MEYER

Phone 813 768 3610

Address 1308 WINDSOR PLACE

Email russellmeyer@att.net

Street

JACKSONVILLE

FL

32205

City

State

Zip

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:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FLORIDA COUNCIL OF CHURCHES

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.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

732 Bill Number or Topic

Amendment Barcode (if applicable)

1/19/2022 Meeting Date

Agriculture Committee

Name Donn Scott, Jr.

Phone 850-521-3042

Address P.O. Box 10788 Street

Email donn.scott@sp/center.org

Tallahassee FL 32301 City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing: Southern Poverty Law Action Fund

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

In an effort 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 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)

... of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

SB 732 1-19-22

SB 732

Meeting Date

Bill Number or Topic

Agriculture

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Christine St Louis

Phone 407-756-0334

Address 2319 Meadow oak cir

Email byersgirl@hotmail.com

Street

Kissimmee FL 34746

City

State

Zip

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:

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.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

0732

Bill Number or Topic

1-19-2022

Meeting Date

AGRICULTURE

Committee

Amendment Barcode (if applicable)

Name

EVELYN NAZARETO

Phone

(321) 946-9490

Address

1935 CONWAY RD RS

Email

EVEEENAZARETO@YAHOO

Street

ORLANDO FL 32805

City

State

Zip

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:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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1-19-2022 Meeting Date

SB 732 Bill Number or Topic

Agriculture Committee

Amendment Barcode (if applicable)

Name Charles Colan

Phone 407 556-7694

Address 6121 Sage Dr Street

Email

Orlando FL FL City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

- [x] 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:

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The Florida Senate

APPEARANCE RECORD

732 - Heat Illness Prevention

1/19/2022

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name **Jonathan Webber**

Phone **954-593-4449**

Address **1700 N. Monroe St. #11-286**

Email **jwebber@fcvoters.org**

Street

Tallahassee

FL

32303

City

State

Zip

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:

Florida Conservation Voters

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

1/19/22

Meeting Date

The Florida Senate
APPEARANCE RECORD

732

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Ida V. Eskamani

Phone _____

Address 134 E Colonial Dr

Email _____

Street

Orlando FL 32801

City

State

Zip

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:

Florida Immigrant Coalition

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 \(flsenate.gov\)](#)

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S-001 (08/10/2021)

1/19/22

Meeting Date

AG 110 SOB 8:30

Committee

Name DAVID CULLEN

Name

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

732

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 941-323-2404

Phone

Address 9830 ELM STREET

Address

Street

Email cullenasea@gmail.com

Email

OCEAN CITY

City

MD

State

21842

Zip

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:

Sierra Club Florida

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Jan 19 2022

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

732

Bill Number or Topic

732

Amendment Barcode (if applicable)

Committee

Name

Melissa Mapp Francisco

Phone

904 987 2987

Address

548 NW Zack Dr

Email

mmapp@swanee.kil.fl.us

Street

Lake City FL 32055

City

State

Zip

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:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 110 **Case No.:**
Caption: Senate Agriculture Committee

Type:
Judge:

Started: **1/19/2022 8:32:59 AM**
Ends: **1/19/2022 9:37:12 AM** **Length: 01:04:14**

8:32:58 AM Call to Order
8:33:24 AM Chair Bradley opening comments
8:33:31 AM SB 1832 is TP'd at the request of the sponsor
8:34:12 AM Take up Tab 2 - CS/SB 1000 by Senator Albritton
8:34:27 AM Senator Albritton for explanation
8:37:04 AM Questions?
8:37:11 AM Senator Ausley for a question
8:38:31 AM Follow up
8:39:17 AM Senator Albritton for a response
8:42:25 AM Appearance Forms
8:42:42 AM Jane West, 1000 Friends of Florida
8:45:53 AM Beth Alvi, Audubon Florida
8:48:04 AM David Cullen, Sierra Club of Florida
8:51:12 AM Gary Hunter, FF&Vegetable Association waives in support
8:51:20 AM Meta Caulder, FL League of Women Voters, waives against
8:51:24 AM Carlos Nathan. FDACS, waives against
8:51:28 AM Lindsey Cross, FL Conservation Voters, waives against
8:51:32 AM Jim Spratt, FL Nursery Growers & Landscape Association, waives in support
8:51:38 AM Adam Basford, Associated Industries, waives in support
8:51:43 AM Matt Joyner, FL Citrus Mutual, waives in support
8:51:47 AM Courtney Larkin, FL Farm Bureau, waives in support
8:51:57 AM Debate?
8:52:00 AM Senator Ausley in debate
8:53:00 AM Senator Albritton to close on the bill
8:54:36 AM Roll call
8:55:00 AM CS/SB 1000 is reported favorably
8:55:10 AM Take up Tab 3 - SB 1186 by Senator Albritton
8:55:20 AM Senator Albritton for an explanation
8:56:00 AM Questions?
8:56:02 AM Appearance Cards
8:56:05 AM Lisa Ard, Florida Agritourism Association, waives in support
8:56:14 AM Carlos Nathan, FDACS, waives in support
8:56:15 AM Gary Hunter. FL Fruit & Vegetable Association, waives in support
8:56:20 AM Courtney Larkin, FL Farm Bureau, waives in support
8:56:26 AM Debate?
8:56:27 AM Senator Boyd in debate
8:57:12 AM Senatore Albritton to close
8:57:19 AM Roll Call
8:57:44 AM SB 1186 is reported favorably
8:57:48 AM Take up Tab 4 - 1450 by Senator Jones
8:57:56 AM Senator Jones for an explanation
9:00:04 AM Questions?

9:00:10 AM Appearance Cards
9:00:13 AM Bernadette Nwokeji
9:02:52 AM Carlos Nathan, FDACS, waives in support
9:02:57 AM Jean Siebenaler waives in support
9:03:02 AM Debate?
9:03:05 AM Senator Boyd in debate
9:03:35 AM Senator Jones to close
9:03:45 AM Roll Call
9:03:59 AM SB 1450 is reported favorably
9:04:23 AM Take up Tab 5 - SB 1656 by Senator Rodriguez
9:04:35 AM Senator Rodriguez for an explanation
9:05:12 AM Questions?
9:05:16 AM Appearance
9:05:20 AM Sky Beard, No Kid Hungry, speaking in support
9:06:46 AM Carlos Nathan, FDACS, waives in support
9:06:49 AM Karen Woodall, FL Center for Fiscal & Economic Policy, waives in support
9:06:55 AM Kathleen Murphy, FL PTA, waives in support
9:07:01 AM Debate?
9:07:04 AM Senator Rodriguez to close
9:07:13 AM Roll Call
9:07:14 AM SB 1656 is reported favorably
9:07:32 AM Take up Tab 1 - SB 732
9:07:46 AM Senator Rodriguez for an explanation
9:08:23 AM Questions?
9:08:55 AM Appearance Forms
9:09:03 AM Jon Esformes speaking in support
9:13:51 AM Nezahualroyotl Xiuhtecalti speaking in support
9:16:11 AM Esteban Wood speaking in support
9:18:14 AM Karen Woodall, FL Center for Fiscal & Economic Policy, speaking in support
9:20:29 AM Daniel Kucczi speaking in support
9:21:48 AM Rodrigo Lozano speaking in support
9:22:45 AM Jackson Oberlink speaking in support
9:24:07 AM Ken Williams speaking in support
9:27:01 AM Constance Albright speaking in support
9:31:02 AM Dr. Rich Templin, AFL-CIO, speaking in support
9:31:59 AM Kammeron Brown waives in support
9:32:00 AM Justin Peacock waives in support
9:32:03 AM Barbara Devane, FL NOW, waives in support
9:32:11 AM Rev. Russell Meyer waives in support
9:32:16 AM Donn Scott, Jr. waives in support
9:32:21 AM Christine St Louis waives in support
9:32:24 AM Evelyn Nazario waives in support
9:32:29 AM Charles Colon waives in support
9:32:31 AM Jonathan Webber waives in support
9:32:36 AM Ida Eskamani, FL Immigrant Coalition, waives in support
9:32:38 AM David Cullen, Sierra Club, waives in support
9:32:42 AM Melissa Mapp Francisco waives in support
9:32:47 AM Jean Siebenaler waives in support
9:32:54 AM Debate?
9:33:00 AM Senator Boyd in debate
9:33:48 AM Senator Ausley in debate
9:34:19 AM Senator Perry in debate

9:35:08 AM Senator Rodriguez to close

9:35:15 AM Roll Call

9:36:10 AM SB 732 is reported favorably

9:36:39 AM Senator Polsky moves we adjourned

9:36:59 AM We are adjourned without objection