



April 3, 2009

Budget Blues

As the fifth week of session draws to a close, the legislature continues to struggle to find plausible solutions to the current budget crisis. Many legislators are coming to the realization that cutting agency budgets will not be enough to fully solve the problem and are exploring other means.

As such, House leadership has given Rep. Rich Glorioso, R-Plant City, Chair of the House Transportation and Economic Development Appropriations Committee, the unenviable task of raising approximately \$1 billion by increasing fees for drivers licenses and related skill tests, vehicle registrations, titles and license plate replacements.

Many of the legislators on his committee were uncomfortable with the idea of any fee increases. Rep. Glorioso, a conservative Republican, challenged them to actively debate each of the increases and then decide which, if any, would be acceptable. One proposal of special interest to ag is the doubling of the fee for farm truck tags from \$240 to \$480.

Some of the current fees in Florida are lower than in other states. In Georgia, for example, it costs \$323 to register a Ford F-150 truck. In Florida, it costs \$46.75.

An increase in overweight truck fines, favored by Gov. Charlie Crist, is another proposed source of revenue. Crist's proposal jumps the fines from five cents a pound to forty cents, a figure Rep. Glorioso felt was too high.

An alternate proposal is to grant all trucks a ten percent weight tolerance and then increase fines incrementally: 10 cents for up to 2,000 pounds, 20 cents for 2001-4000 pounds, 30 cents for 4001-6000 pounds and so on.

The ten percent weight tolerance would allow trucks to carry weights ten percent above the legal weight limit without being fined. This system is used in Alabama and is very useful in situations where

scales are not available when the truck is being loaded or when the load takes on water due to rain.

In the alternate proposal fines would only apply to trucks exceeding the ten percent tolerance.

At this stage, nothing has been agreed upon but the Florida Trucking Association, the Florida Forestry Association, Farm Bureau, and other agricultural associations have expressed a willingness to consider weight penalty increases if enacted in conjunction with the creation of a ten percent tolerance.

Workers' Compensation

Rep. Anitere Flores, R-Miami, and Sen. Garrett Richter, R-Naples, have bills to restore the workers' compensation reforms made by the legislature in 2003 and subsequently stripped by the Florida Supreme Court for being ambiguous. The court's ruling allowed a return of the costly hourly rate for attorneys' fees.

HB 903 and SB 2072 clarify the law and cap attorneys' fees in workers comp cases. The trial attorneys naturally strongly oppose this legislation. This week, the House passed Rep. Flores' HB 903 on an 84-35 vote. SB 2072 is still in committee. During its hearing before Senate Judiciary on Wednesday, Committee Chair Lee Constantine, R-Altamonte Springs, stopped debate before an amendment by Sen. Jeremy Ring, D-Margate, which would have gutted the bill, was voted on. He said he saw no compromise in sight and that the committee would vote on the bill in two weeks.

Committee members are Sens. Carey Baker, Mike Fasano, Dan Gelber, Mike Haridopolis, Arthenia Joyner, Durell Peaden, Richter, and Ring.

This legislation is very important to the agricultural industry. Please call the senators listed above in support of SB 2072 and against Sen. Ring's amendment.

Bill Actions This Week

Farm Bureau's priority legislation once again saw action in both the House and the Senate this week, passing out of four committees without a single dissenting vote.

On Tuesday morning, HB 1133 by Rep. Ralph Poppell, R-Indian River, passed unanimously out of the House General Government Policy Council.

Its final stop before being heard on the Floor will be the House Finance and Tax Council.

That afternoon, SB 1974 by Sen. Mike Bennett, R-Bradenton, also passed unanimously out of the Senate Commerce Committee. It will next be heard in Senate Judiciary.

HB 1133 and SB 1974 contain several provisions, including prohibitions against the duplication of regulations as well as stormwater fees on ag land, an exemption from permits and fees for nonresidential farm buildings and fences and the creation of an Agricultural Use Notice and Waiver.

Also on Tuesday, HB 1241 by Rep. Baxter Troutman, R-Winter Haven, passed unanimously out of the House Natural Resources Appropriations Committee.

Its next stop will be the Appropriations Council on General Government and Health Care.

Its companion bill, SB 2312 by Sen. Charlie Dean, R-Inverness, passed unanimously out of the Senate Transportation Committee on Wednesday.

It will next be heard in the Senate Finance and Tax Committee.

These bills contain multiple provisions which provide an exemption for farmers and ranchers from a local business tax (formerly known as an occupational license), an approval for the burning of all plastics, including tubing, on farms and an authorization for the Department of Agriculture and Consumer Services to adopt rules to establish comprehensive best management practices for ag production and food safety.

HB 593 by Rep. Debbie Boyd, D-High Springs, regarding Florida-Friendly Landscaping Practices, also passed unanimously out of the House General Government Policy Council on Tuesday.

SB 274 by Sen. Lee Constantine, R-Altamonte Springs, which would mandate the use of best management practices in counties with a first or second magnitude spring, was scheduled to be heard in Senate Community Affairs on Tuesday. Time ran out, however, and the bill was moved to the next meeting, set for Monday, April 6. Farm Bureau opposes this bill.

New Deal for US Sugar Purchase

On Wednesday, Gov. Charlie Crist announced a revised plan for the purchase of lands owned by the U.S. Sugar Corp.

Instead of a complete buyout, the new plan calls for the purchase of 72,500 acres now with a ten-year option on the other 107,500 acres.

The 72,500 acres includes lands currently being used to grow citrus and cane and comes with a \$533 million price tag. Crist estimated that the land mass is roughly twice the size of Orlando.

The ten-year option allows time for the economy to turn around and for the state to regain sound financial footing. Like the original plan, it is an all or nothing proposition. The price paid for those lands will be based on appraisals at the time of purchase.

The new agreement also provides for a seven-year leaseback program with an option to renew. The price increased from \$50 to \$150 per acre in an effort to make the cost more competitive with other leases in the area.

The original plan called for the purchase of 180,000 acres, costing \$1.75 billion.

Although significantly scaled down, this will still be the largest single purchase of land by the State in the history of Florida.

Environmental activists applauded the Governor's leadership and vision in his continuing efforts to restore the Everglades to their original pristine condition.

Short Week Ahead

Senate and House leadership have announced that legislative committee meetings will only be held through Wednesday next week (April 6-8).

The abbreviated calendar will allow legislators to celebrate the Passover and Easter holidays at home with their families.

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