



April 4, 2008

Energy

Biofuels. Greenhouse gas emissions. Climate change. Renewable Portfolio Standards. Alternative energy. Cap and Trade. Carbon credits. All of these and many more terms relating to the production, use and conservation of energy have become part of the Farm Bureau vocabulary as energy and climate change have become important public issues around the world and in Tallahassee.

This is a new arena for Farm Bureau. We are very excited about the potential that the growth of alternative energy sources offers to our members and our industry.

At the same time, the interests of our members who want to produce energy must be balanced with the interests of members who consume the energy and would have to absorb extra costs and higher bills if proposed changes are not instituted correctly. The devil is truly in the details.

Farm Bureau has not limited its efforts to fulfill our energy policies to the legislative arena. We are also working diligently to pursue other possible avenues as well.

One of the ways that we are doing this is by partnering with the Florida Electric Cooperatives Association (FECA) to find the best possible "win-win" for all involved. Our groups share many members. This is a natural match and has proven to be a productive relationship. Not only has FECA been instrumental in working with us legislatively and explaining "the other side" as we investigate options in the production of alternative energy, they have also assisted Farm Bureau in applying for federal grant monies.

The Florida Department for Agriculture and Consumer Services (DACS) has also been a valued partner. Commissioner Charlie Bronson is blazing a trail with his Farm to Fuel program and the federal "25x25" initiative.

DACS, Farm Bureau and other agricultural associations continue to work together to make sure the legislative energy package will be beneficial to the agricultural industry.

Last year, the legislature passed an energy bill, but Governor Charlie Crist vetoed it. He gave no specific reasons, only saying the bill did not go far enough. This year, the legislature seems to be working much more closely with the Governor's Office and with the Department of Environmental Protection as they craft their proposed energy legislation.

At this point, the House and Senate bills do not match. Each contains issues the other does not or addresses shared issues differently. Both can be expected to undergo changes as the two chambers negotiate before a final bill is passed.

The House Environmental and Natural Resources Council passed its proposed committee bill Wednesday morning with a unanimous vote and an apparently happy Governor in the audience.

It will now go to the Speaker's office, where it will be given a bill number and committee references. Council Chair Stan Mayfield, R-Vero Beach, has said he believes it will be sent straight to the House floor for a hearing. The Senate version, SB 1544, by Sen. Burt Saunders, R-Naples, has passed two committees and is now in the General Government Appropriations Committee.

General Ag Bill

Many of Farm Bureau's legislative priorities are contained within HB 761 by Rep. Joe Pickens, R-Palatka, and SB 2060 by Sen. Charlie Dean, R-Inverness.

The Florida Association of Counties, the League of Cities and the Florida Stormwater Association have led a charge against the bills, stating opposition to several of the provisions they contain.

Other difficulties have been created by an amendment dealing with gambling regulation, added when the bills were heard in committee.

While HB 761 continues to move in the House, SB 2060 has encountered problems in the Senate. With four committee references left and only four weeks left in the session, time is running short.

To counter this, Sen. Dean has arranged with Sen. J.D. Alexander, R-Bartow, to place a streamlined version of the general ag bill on Sen. Alexander's SB 1386.

SB 1386 will not include the gambling amendment or a provision relating to landowner liability for easements across private property. Language prohibiting impact fees on new barns was stripped from the bill.

In fact, most of the provisions that remain in the bill are noncontroversial. Only two disputed issues remain, but they are very important to the agricultural industry and will not be removed.

First, a provision that says that counties may not enforce any ordinance, resolution, regulation, rule or policy that duplicates any state, federal or water management district rule or regulation continues to face fire from the counties.

Second, the counties and the stormwater association also continue to oppose language that would prohibit counties from issuing assessments or fees on agricultural lands for stormwater management even though most farmers and ranchers use best management practices to keep water within the boundaries of their land.

SB 2060 is currently in the Senate Regulated Industries Committee. HB 761 has been sent to the House Policy and Budget Council.

Farm Bureau and other agricultural associations will continue to work with the sponsors to maneuver this important legislation through the process.

Overwidth Farm Equipment

After much negotiation with legislators, Farm Bureau and other agricultural associations, the Florida Department of Transportation has agreed that permits, fees, and escorts are not needed for transporting overwidth farm equipment.

These provisions are included in a proposed amendment to HB 1255 by Rep. Greg Evers, R-Baker, and in SB 1946 by Sen. Carey Baker, R-Eustis. If passed, this legislation would make Florida law similar to that of Alabama and Georgia.

The proposed language states: *"The width and height limitations ... shall not apply to farming and or agricultural equipment, whether self-propelled, pulled, or hauled, when temporarily operated during daylight hours upon a public road which is not a limited access facility... and the width and height limitations may be exceeded by such equipment without a permit. To be eligible for this exemption, the equipment shall be operated within a radius of 50 miles of the real property of the equipment owner.*

However, farming or agricultural equipment greater than 174 inches in width is required to have one warning lamp mounted on each side of the equipment to denote the width, and a slow moving vehicle sign. Warning lamps required by this paragraph are required to be visible from the front and rear of the vehicle and must be visible from a distance of 1000 feet.

The operator of equipment operated under this subsection is responsible for verifying that the route used has adequate clearance for the equipment."

The amendment to HB 1255 will be offered when it is heard in the House Economic Expansion and Infrastructure Council. SB 1946 passed out of the Senate Agriculture Committee on Thursday, with an amendment that raises weight limitations from 80,000 to 84,000 pounds.

Sen. Haridopolis's Letter to TBRC

The following page features a letter by Sen. Mike Haridopolis to the Tax and Budget Reform Committee regarding the budgetary implications of its plan to further reduce property taxes.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Finance and Tax, *Chair*
Children, Families, and Elder Affairs
Community Affairs
Fiscal Policy and Calendar
Military Affairs and Domestic Security
Regulated Industries
Rules

JOINT COMMITTEE:
Legislative Auditing

SENATOR MIKE HARIDOPOLOS

Majority Whip
26th District

March 25, 2008

Dear Member of the Taxation and Budget Reform Commission:

Thank you for your service on the Taxation and Budget Reform Commission (TBRC). As a non-voting member, I have followed the Commission's actions with great interest.

On March 17, 2008, the Commission voted to raise Floridians' taxes and/or cut spending in order to reduce a *portion* of the education property tax, known as the Required Local Effort (RLE). This proposal came together quickly, and although there was some public discussion, the bulk of the debate was focused on the potential tax reduction with little mention of the tax increase or actual spending cuts necessary for the so-called "tax swap."

As this issue continues to move through the process, I believe it is important for stakeholders, legislators, and - most importantly - Florida voters to understand the implications of this proposal. Enclosed is a complete list of the current sales tax exemptions and an estimate of the potential revenue generated by a one, two, or three cent sales tax increase. I am respectfully requesting for the TBRC commissioners who voted in favor of the proposal to give their specific recommendations on how we offset the revenue lost from the elimination of the RLE.

I understand that the list you will provide is not binding; nevertheless I believe your suggestions are a vital component of having an open discussion on this issue. Your submission will allow Florida voters to make an informed decision on the amendment, and will help legislators understand the intent of the proposal should voters approve the amendment this November. I am requesting that you provide the information to the Senate Finance and Tax Committee by April 10, 2008.

Thank you for the important work that you are doing on the Taxation and Budget Reform Commission. I look forward to reviewing your recommendations.

Sincerely,

A handwritten signature in blue ink that reads "MIKE H.C." in a stylized, cursive font.

Mike Haridopolos, Chairman
Senate Finance and Tax Committee

Enclosures

REPLY TO:

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Senate's Website: www.flsenate.gov

TITLE/BILL NUMBER	SUBJECT	STATUS	POSITION
General Ag HB 0761 – Pickens SB 2060 – Dean	Contains several FB legislative priorities	<i>House</i> – Environment & Natural Resource Council <i>Senate</i> – Regulated Industries	★
Overwidth Ag Equipment HB 1255 – Evers SB 1946 – Baker	Provides no permits are required for transporting overwidth ag equipment	<i>House</i> – Economic Expansion & Infrastructure Council <i>Senate</i> – Transportation and Economic Development Appropriations	★
Sales Tax Exemption-Packinghouses HB 0135 – Troutman SB 0394 – Atwater	Expands exemption on sales tax for electricity to packinghouses	<i>House</i> – Environment & Natural Resource Council <i>Senate</i> – Finance & Tax	★
Surveyors and Mappers HB 0789 – Kendrick SB 2054 – Baker	Creates criminal penalties for surveyors who damage or destroy fences on ag property	<i>House</i> – Safety & Security Council <i>Senate</i> – Criminal & Civil Justice Appropriations	★
Springs SB 2394 – Saunders	Pilot program regulating land uses in springs areas	<i>Senate</i> – Community Affairs	↓
Springs Protection HB 0031 – Boyd SB 2078 – Oelrich	Creates BMP education program	<i>House</i> – Environment & Natural Resource Council <i>Senate</i> – Community Affairs	★
Secondary Metals Recyclers HB 0105 – Troutman SB 0556 – Constantine	Increases penalties for theft of copper wire from businesses	<i>House</i> – Floor <i>Senate</i> – Criminal Justice	★
Property Rights HB 0881 – Precourt SB 1578 – Baker	Revises Bert Harris Private Property Rights Act	<i>House</i> – Safety & Security Council <i>Senate</i> – Community Affairs	★

★ **Support**

↓ **Oppose**

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