



Agriculture & Natural Resources Subcommittee

**Tuesday, March 3, 2015
2:00 pm
Reed Hall**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Agriculture & Natural Resources Subcommittee

Start Date and Time: Tuesday, March 03, 2015 02:00 pm
End Date and Time: Tuesday, March 03, 2015 04:00 pm
Location: Reed Hall (102 HOB)
Duration: 2.00 hrs

Consideration of the following bill(s):

HB 569 Agritourism by Combee


Presentation by the Florida Recycling Partnership on recycling efforts in Florida.

Presentation by the Florida Future Farmers of America on Agricultural Education: The Next Generation of Leaders and Agriculturalists.

NOTICE FINALIZED on 02/27/2015 14:50 by Kaiser.Debbi

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 569 Agritourism
SPONSOR(S): Combee
TIED BILLS: None **IDEN./SIM. BILLS:** SB 594

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture & Natural Resources Subcommittee		Gregory 	Blalock <i>AFIS</i>
2) Local Government Affairs Subcommittee			
3) State Affairs Committee			

SUMMARY ANALYSIS

An "agritourism activity" is any agricultural related activity consistent with a bona fide farm or ranch or in a working forest that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, or harvest-your-own activities and attractions. In order to continue farming, operators of small and medium-sized farms must at times find ways to diversify and expand their incomes, either through new enterprises on the farm or off-farm employment. Agritourism is one of the many methods farmers use to diversify and increase their income.

In 2013, the Florida Legislature passed SB 1106, which prohibited local governments from adopting any ordinances, regulations, rules, or policies that prohibit, restrict, regulate, or otherwise limit an agritourism activity on land that has been classified as agricultural land under Florida's greenbelt law. However, some local governments continue to enforce such laws that were adopted prior to the passage of SB 1106 in 2013.

The bill prohibits local governments from enforcing any ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under Florida's greenbelt law.

The bill may have an indeterminate negative fiscal impact on local governments by prohibiting them from enforcing ordinances, regulations, rules, or policies that prohibit, restrict, regulate, or otherwise limit an agritourism activity on land classified as agricultural under Florida's greenbelt law. Thus, counties and municipalities may be unable to collect certain fees or fines pertaining to such regulations.

Article VII, section 18(b) of the Florida Constitution requires a two-thirds vote of the membership of each house of the Legislature in order to enact a general law that reduces the authority of municipalities and counties to raise revenues in the aggregate.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

An "agritourism activity" is any agricultural related activity consistent with a bona fide farm or ranch or in a working forest that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, or harvest-your-own activities and attractions.¹ In order to continue farming, operators of small and medium-sized farms, find ways to diversify and expand their incomes, either through new enterprises on the farm or off-farm employment.² Agritourism is one of the many methods farmers use to diversify and expand their income.

Agritourism has an extensive history in the United States. Farm-related recreation and tourism can be traced back to the late 1800s, when families visited farming relatives in an attempt to escape from the city's summer heat. Visiting the country became even more popular with the widespread use of the automobile in the 1920s. Rural recreation gained interest again in the 1930s and 1940s by people seeking an escape from the stresses of the Great Depression and World War II. These demands for rural recreation led to widespread interest in horseback riding, farm petting zoos, and farm nostalgia during the 1960s and 1970s. Farm vacations, bed and breakfasts, and commercial farm tours were popularized in the 1980s and 1990s.³

Today, agritourism may include farm tours or farm stays, fishing, hunting, festivals, historical recreations, workshops or educational activities, wildlife study, horseback riding, cannery tours, cooking classes, wine tastings, barn dances, and harvest-your-own activities. The use of these resources can have a positive effect on both the agricultural enterprise and the surrounding community. Not only does this tourism have the potential to add value to the operations themselves, but it also creates awareness about the importance of agriculture.⁴

Many states, including Florida, have adopted legislation to promote agritourism. In 2007, the Florida Legislature passed HB 1427 authorizing the Department of Agriculture and Consumer Services to provide marketing advice, technical expertise, promotional support, and product development related to agritourism to assist the following entities in their agritourism initiatives:

- Enterprise Florida, Inc.;
- Convention and visitor bureaus;
- Tourist development councils;
- Economic development organizations; and
- Local governments.⁵

In addition, the bill provided that conducting agritourism activities on a bona fide farm or on lands classified as agricultural pursuant to s. 193.461, F.S., would not result in the property owner having his or her agricultural land classification limited, restricted, or divested.⁶ Section 193.461, F.S., also known as Florida's "greenbelt law," allows properties classified as a bona fide agricultural operation to be

¹ Section 570.86(1), F.S.

² Wendy Francesconi and Taylor Stein, *Expanding Florida's Farming Business to Incorporate Tourism*, available at: <http://edis.ifas.ufl.edu/fr242> (last visited February 4, 2015).

³ *Considering an Agritainment Enterprise in Tennessee?* (Agricultural Extension Service, The University of Tennessee, PB 1648) available at: http://trace.tennessee.edu/utk_agexmkt/12/ (last visited February 4, 2015).

⁴ Analysis of SB 1106, (2013).

⁵ Ch. 2007-244, L.O.F.

⁶ Id.

taxed according to the "use" value of the agricultural operation, rather than the development value. Generally, tax assessments for qualifying lands are lower than tax assessments for other uses.

In 2013, the Florida Legislature passed SB 1106, which provided the intent of the Legislature to eliminate duplication of regulatory authority over agritourism.⁷ The bill prohibited a local government from adopting ordinances, regulations, rules, or policies that prohibit, restrict, regulate, or otherwise limit an agritourism activity on land that has been classified as agricultural land under Florida's greenbelt law. The bill also provided limited liability protection for land owners conducting agritourism activities on their property.

However, while local governments may not adopt laws that limit agritourism activities on land classified as agricultural land under Florida's greenbelt law, some local governments continue to enforce such laws that were adopted prior to the passage of SB 1106 in 2013.

Effect of Proposed Changes

The bill amends s. 570.85, F.S., to prohibit local governments from enforcing any ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under Florida's greenbelt law.

B. SECTION DIRECTORY:

Section 1. Amending s. 570.85, F.S., relating to regulation of agritourism activities.

Section 2. Providing an effective date of July 1, 2015.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill may have an indeterminate negative fiscal impact on local governments by prohibiting them from enforcing ordinances, regulations, rules, or policies that prohibit, restrict, regulate, or otherwise limit an agritourism activity on land classified as agricultural under Florida's greenbelt law. Thus, counties and municipalities may be unable to collect certain fees or fines pertaining to such regulations.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill lessens the regulations on agricultural land owners who engage in agritourism activities.

⁷ Ch. 2013-179, L.O.F.
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DATE: 2/24/2015

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill reduces the authority of counties and municipalities to raise revenues by prohibiting them from enforcing ordinances, regulations, rules, or policies that prohibit, restrict, regulate, or otherwise limit an agritourism activity on land classified as agricultural under Florida's greenbelt law. Thus, counties and municipalities may be unable to collect certain fees or fines pertaining to such regulations. Article VII, section 18(b) of the Florida Constitution requires a two-thirds vote of the membership of each house of the Legislature in order to enact a general law that reduces the authority of municipalities and counties to raise revenues in the aggregate. Article VII, section 18(d) of the Florida Constitution provides an exemption if the law is determined to have an insignificant fiscal impact. An insignificant fiscal impact means an amount not greater than the average statewide population for the applicable fiscal year times ten cents.⁸ A fiscal estimate is not available for this bill. If it is determined that this bill has more than an insignificant fiscal impact, the bill will require a two-thirds vote of the membership of each house of the Legislature for passage.

2. Other:

While the Florida Constitution grants local governments broad regulatory authority under home rule powers, such ordinances must yield to state statutes.⁹ Legislation limiting the regulatory powers of counties and municipalities has been previously found to be within the powers of the Legislature.¹⁰

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

N/A.

⁸ The total state population is estimated to be 19,507,369. University of Florida, Bureau of Economic and Business Research, Florida Estimates of Population, available at <http://www.bebr.ufl.edu/data/state/Florida> (last visited February 2, 2015).

⁹ Fla. Const. art. VIII, ss. (1)(f)(g) & 2(b); Masone v. City of Aventura, 147 So.3d 492, 494 (Fla. 2014).

¹⁰ See Cross Key Waterways v. Askew, 351 So.2d 1062, 1065 (Fla. 1977); Compare Phantom of Clearwater, Inc. v. Pinellas County, 894 So.2d 1011, 1018-1019 (Fla. 2d DCA 2005).

1 A bill to be entitled
 2 An act relating to agritourism; amending s. 570.85,
 3 F.S.; prohibiting a local government from enforcing an
 4 ordinance, regulation, rule, or policy that prohibits,
 5 restricts, regulates, or otherwise limits an
 6 agritourism activity on land classified as
 7 agricultural land; providing an effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Subsection (1) of section 570.85, Florida
 12 Statutes, is amended to read:

13 570.85 Agritourism.—

14 (1) It is the intent of the Legislature to eliminate
 15 duplication of regulatory authority over agritourism as
 16 expressed in this section. Except as otherwise provided for in
 17 this section, and notwithstanding any other provision of law, a
 18 local government may not adopt or enforce an ordinance,
 19 regulation, rule, or policy that prohibits, restricts,
 20 regulates, or otherwise limits an agritourism activity on land
 21 classified as agricultural land under s. 193.461. This
 22 subsection does not limit the powers and duties of a local
 23 government to address an emergency as provided in chapter 252.

24 Section 2. This act shall take effect July 1, 2015.

FL Recycling Partnership

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**FLORIDA
RECYCLING
PARTNERSHIP**

Florida
Recycling
Partnership

House Agriculture & Natural
Resources Subcommittee

March 3rd, 2015



Florida Recycling Partnership Mission

***“is to educate policy makers
and the general public on the
benefits of recycling.”***



Kim Brunson

- [Plastic bag recycling](#)
- [Plastic Bag 2](#)
- [Abagslife.com](#)

Publix®



Maximizing Food Waste





Growing our Organic Recycling Program

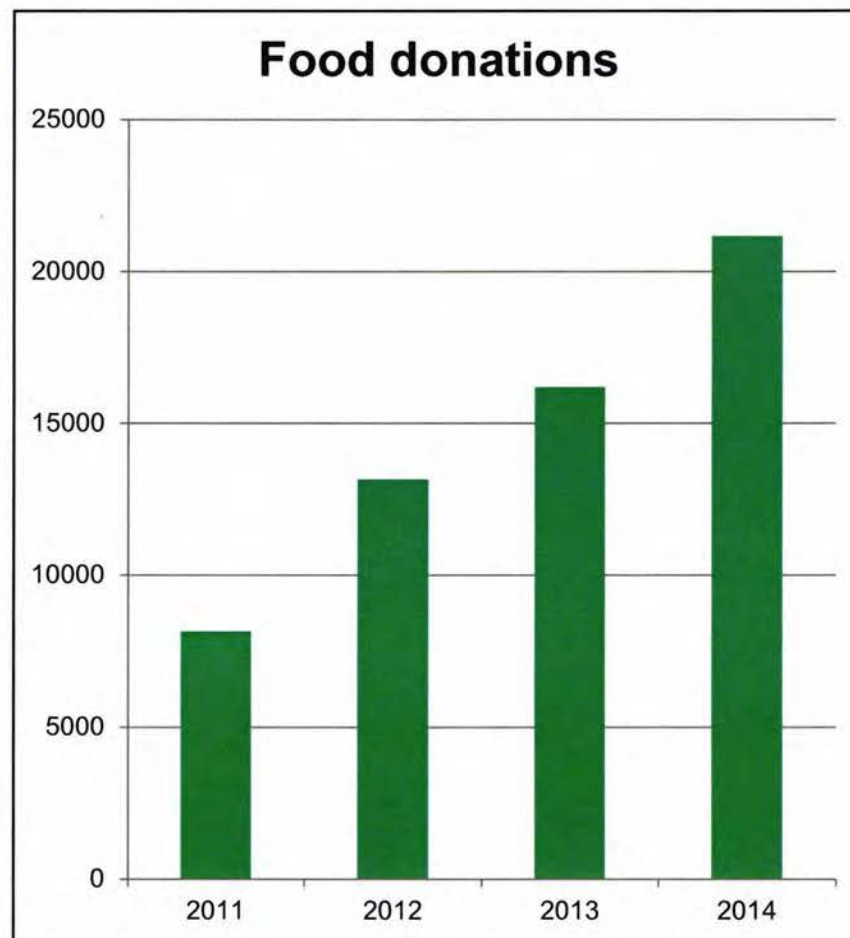
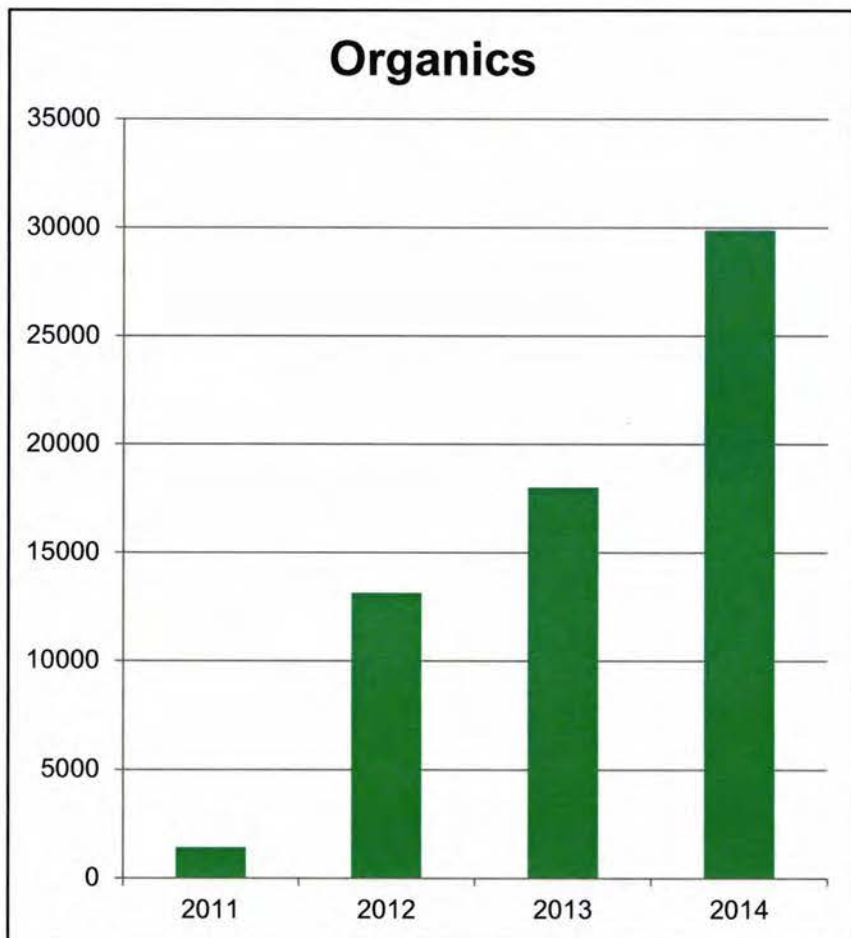
- 2013
 - ATL- 16
 - MIA- 92
 - LAK- 10
 - JAX- 76
 - CLT- 8
 - TOTAL – 202**

- 2014
 - ATL - 92
 - MIA - 223
 - LAK - 75
 - JAX – 120
 - CLT – 27
 - TOTAL – 537**





Organics/Food Donations





FLORIDA BEVERAGE ASSOCIATION
LIZ CASTRO, EXECUTIVE DIRECTOR

March 3, 2015
House Agriculture &
Natural Resources
Subcommittee



WHO WE ARE

The Florida Beverage Association (FlaBev) is the trade association for Florida's non-alcoholic beverage industry. We represent a wide variety of products our members bring to the marketplace including 100% juice and juice drinks, ready-to-drink teas, sports drinks, bottled water and soft drinks.

The Florida Beverage Association represents bottlers, franchise companies and support industries of the non-alcoholic beverage industry on the federal, state and local levels of government to provide a unified voice in legislative and regulatory matters, and serves as a liaison between the industry and the public.



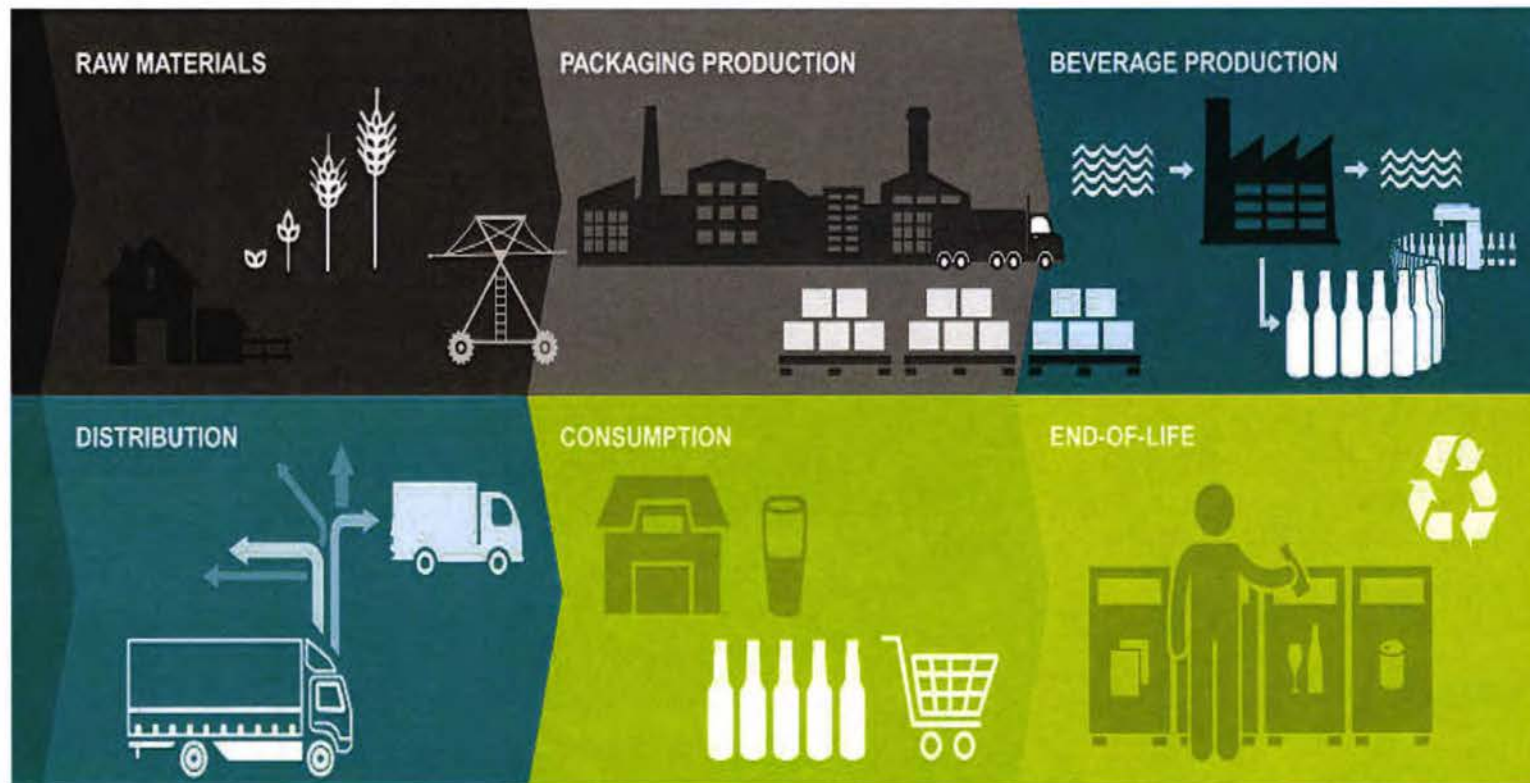
ECONOMIC IMPACT



Making An Economic Impact — With a direct economic impact of **\$7.82 billion**, Florida's beverage industry provides more than **\$1 billion in wages**, and contributes **\$711 million in taxes at the state level** and **\$1.38 billion at the federal level**.

BEVERAGE INDUSTRY — ENVIRONMENTAL VISION

- Innovators in recyclable packaging, energy efficiency, water conservation, reuse of materials
- We are doing more with less, and believe our comprehensive approach is a sustainable vision for the future



PACKAGING

- Committed to utilizing 100 percent recyclable containers
- Incorporating more recycled content
- We use less material in our package
- We continue to rethink & reshape packaging
- We use packaging to educate consumers



- The beverage industry used 46% less packaging in 2006 than in 1990—despite the fact that sales of these beverages increased by 24% in that same timeframe.

RECYCLING

- We make recycling easier – packaging designed to be recycled
- We developed and built a market for recycled materials
- We share best practices with private and public sectors
- We provide funding to build infrastructure



RECYCLING THROUGH INNOVATION AND ENGAGEMENT



We are producing 100% recyclable aluminum, plastic, and glass beverage containers – even the plastic caps can be recycled!



We are investing in efficient local recycling programs and increasing the use of single-stream recycling to take the confusion out of recycling.



We are increasing the availability of public space recycling in parks, pedestrian areas, airports, sports venues, fairs, festivals and more.



Liz Castro, Executive Director

Email: liz.castro@flabev.org

Phone: 407.385.2708

Visit us on the web at

www.flabev.org



Samantha Padgett

- Retail recycling



Florida Retail Federation

Waste Management Inc. of Florida

Recycle Often. Recycle Right.™

Dawn McCormick
Director of Communications

March 3, 2015



WM Recycling Services

- WM handled over 15 million tons of recyclables in 2014
 - ✓ Over 12.5 million tons of traditional recyclables
 - ✓ 2.5 million tons of organics
- WM handles more residential recyclables than any other company in North America
- The amount of material processed at our single-stream MRFs has tripled since 2002



WM Recycling Facts

- 120 Material Recovery Facilities (MRFs) including:
 - 50 Single Stream MRFs 12 C&D MRFs; 58 other MRFs
- 36 Organics processing plants

Okeechobee and Vista Organics Recycling Facilities



2015 Recycling Report Card: Industry Challenges

Waste Management CEO David Steiner: “Mad Money”
with Jim Cramer



- Processing cost are going UP
- Contamination is UP
- Commodity prices are Down
- Costing more to process a ton of recyclables, and dispose of the contamination, than receiving from commodity markets
- Prior to last year, WM was investing \$100 - \$400 Million per year in recycling; 2014 “virtually nothing”
- “To be sustainable overtime, recycling operations must make economic sense” - David Steiner

Back to the Basics: Public Education and Outreach for Recycling

Recycle Often. Recycle Right.SM

The Path to Sustainable Profitable Recycling



Recycle Often...

...because it's the responsible thing to do

- Recycle empty plastic bottles and metal/aluminum cans (glass*)



- Recycle clean, dry paper and cardboard



Recycle Right...

...because following a few simple rules will make the process work

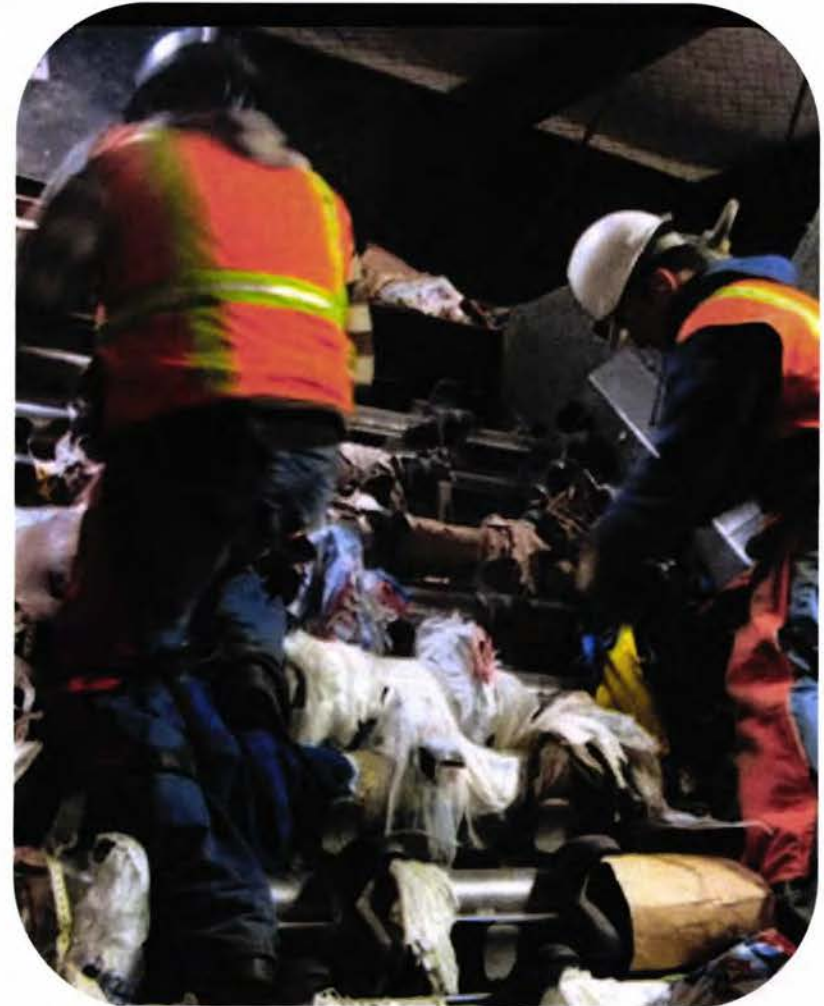
- Keep plastic bags out of your recycling container



- Keep food, food-soiled paper, and liquids out of your recycling container



Film Plastics in Disc Screens



Simple Messages



Recycle all my empty bottles, cans and paper.



Keep food and liquids out of my recycling.



Keep loose plastic bags out of my recycling.

Simplifying the Message

- Focus on 3 simple behaviors that could greatly impact recycling in Florida and nationally

Sustainable recycling requires broad, multi-stakeholder support

Recycling goals must be realistic. Policies and contract terms must support these goals.

Regulations and recycling contracts must be aligned to ensure the development of economically sustainable recycling programs

Sustainable recycling must include public education and outreach to support local regulations and economic realities

Patti Hamilton

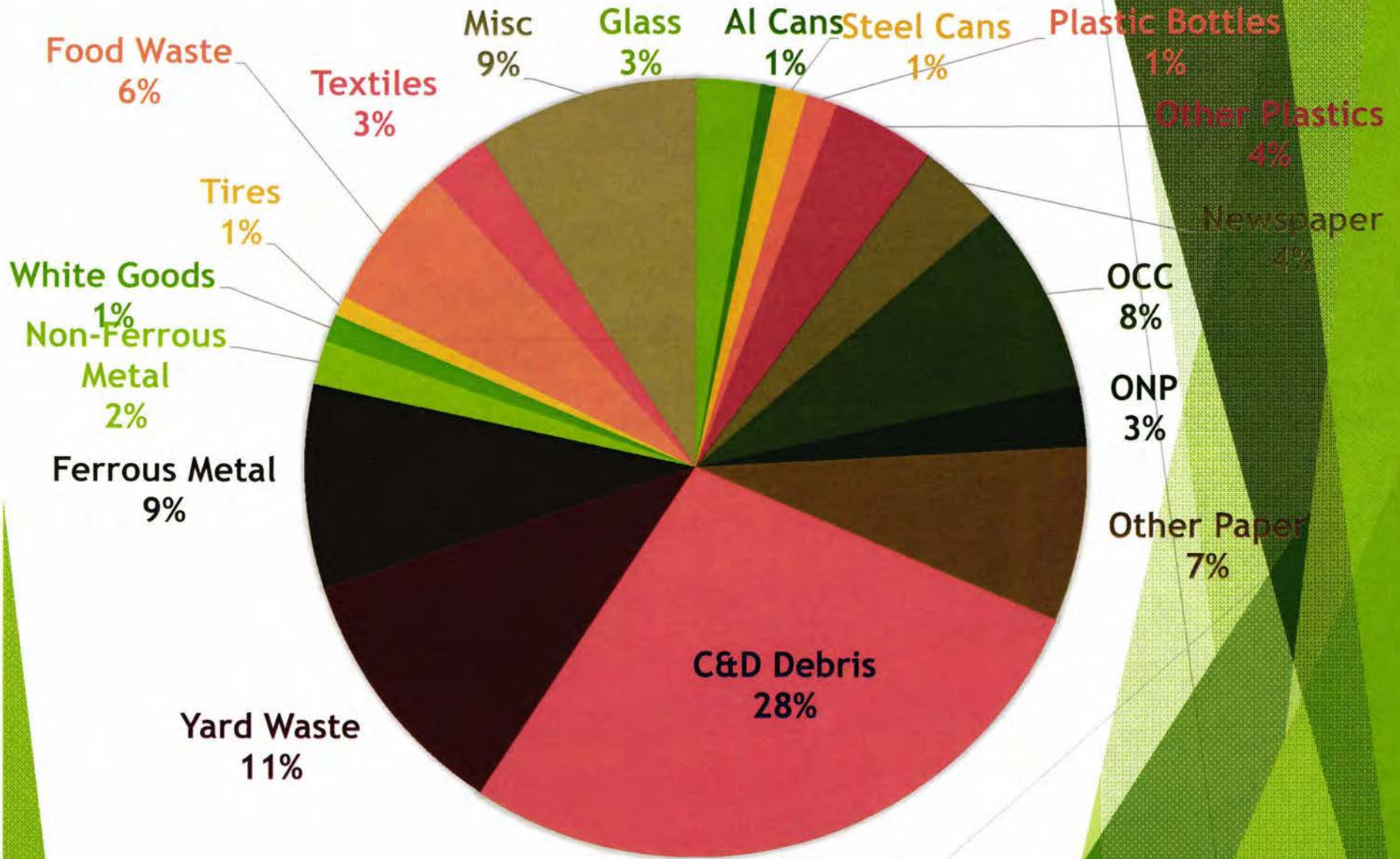




- ▶ C&D is one of the larger components of our waste stream, in Florida and nationally.
- ▶ C&D recycling is critical to achieving Florida's targeted recycling rates.
- ▶ Tools are now available to quantify benefits associated with C&D recycling.
- ▶ Estimates clearly demonstrate the benefits of C&D recycling - economic, job creation, and environmental.

Professor Timothy G. Townsend, Ph.D., P.E.
Department of Environmental Engineering Sciences
Engineering School of Sustainable Infrastructure and
the Environment
University of Florida

Florida MSW in 2013



Construction and Demolition Material

C&D Materials

Wood, Metals, Concrete, Brick, Wallboard, Rocks, Soil, Cardboard, Plastics, Tree remains, Trees and other vegetative matter.

Non-Water Soluble, Non-Hazardous Material that is environmentally sound and highly recyclable.

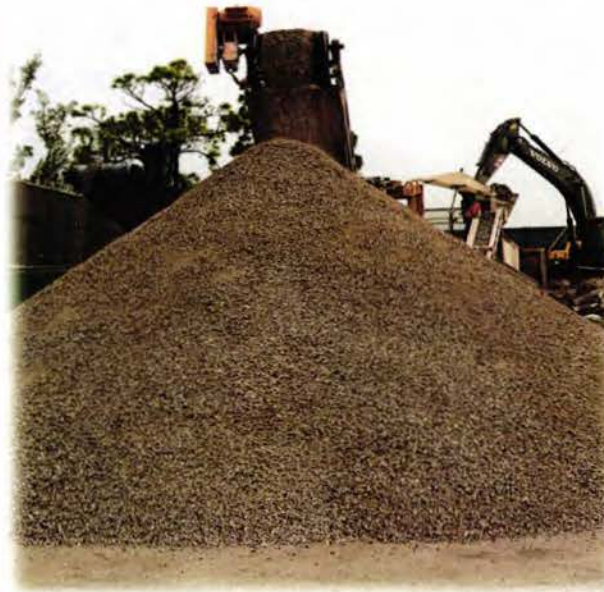
Who Recycles C&D

- ▶ Private Companies
- ▶ Public Companies
- ▶ Public Sector
- ▶ Concrete/Asphalt
 - ▶ Contractor: Road, Demolition, Excavating

Products for Market

The commodities produced are valuable and sought after in the market place.

The process preserves natural resources.



Benefits of Recycling C&D Material

- ▶ Reduce landfill disposal
 - ▶ Protect environment
 - ▶ Better utilize land resources
- ▶ Save natural resources
- ▶ Save energy
- ▶ Save money
- ▶ Create jobs
- ▶ It is the right thing to do

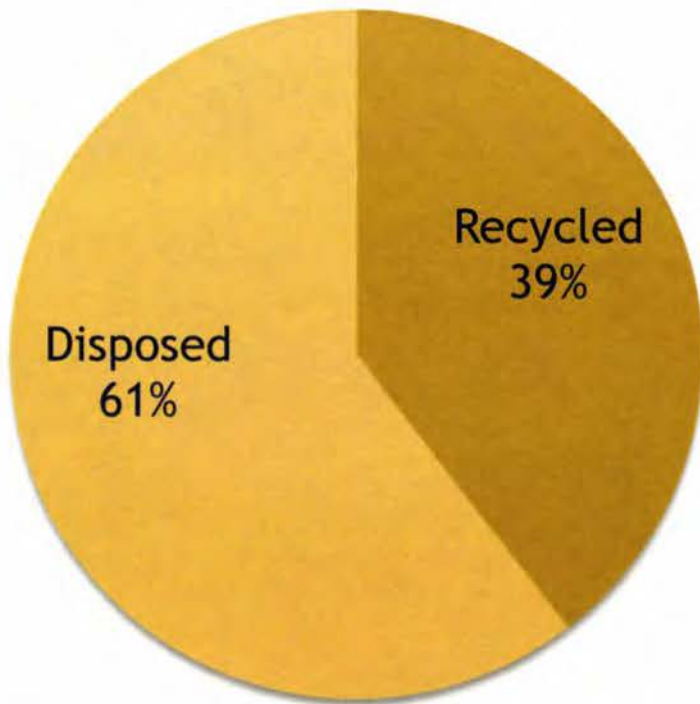


How Much C&D is Out There?

- ▶ US EPA 1996 → 135.5 million tons
 - ▶ 30-40% recycled
 - ▶ US EPA 2003 → 170 million tons
 - ▶ 48% recycled
- Building-related only*
-
- ▶ Cochran and Townsend → 670 – 870 million tons
- Building and Non-building related*

Florida C&D – 2012

Official Estimate

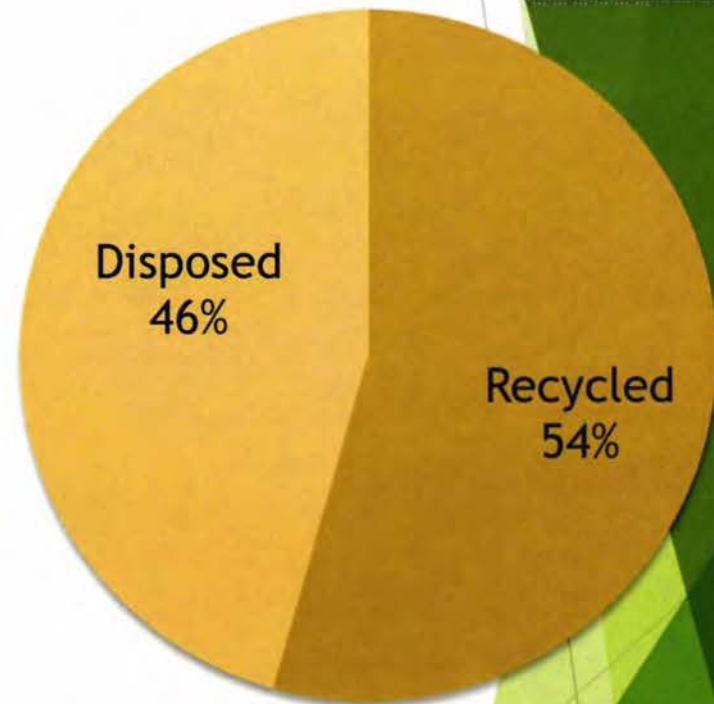


Total collected = 6,472,000 tons

Recycled = 2,556,000 tons

Disposed = 3,916,000 tons

Unofficial Estimate



Total collected = 9,542,000 tons

Recycled = 5,192,000 tons

Disposed = 4,350,000 tons

Energy Savings through C&D Recycling-US

Material	Energy Savings (million BTU)	Energy Savings (equivalent barrels of oil)
Aggregate	161,500,000	27,840,000
Asphalt Pavement	134,100,000	23,120,000
Wood	116,600,000	20,110,000
Drywall	922,000	159,000
Asphalt Shingles	2,169,000	374,000
Steel and other metal	79,860,000	13,770,000
Cardboard	2,678,000	462,000
Total	497,800,000	85,800,000

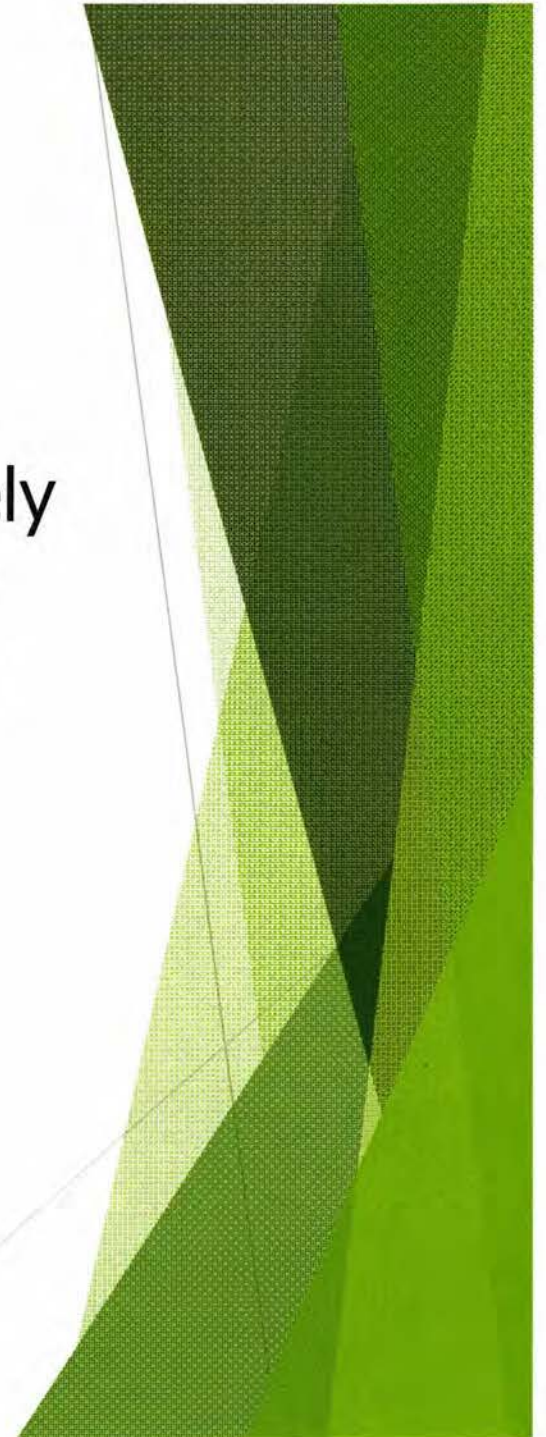
Job Creation

▶ US

- ▶ 8,000+ jobs at mixed C&D processing facilities
- ▶ 11,000+ jobs at bulk aggregate processing facilities

▶ FL

- ▶ Approximately 500 - 1,000 jobs at C&D recycling facilities



Direct and Indirect Economic Benefit

▶ United States

- ▶ Direct economic output
 - ▶ \$7.4 billion
- ▶ Direct and indirect economic output
 - ▶ \$12.5 billion
- ▶ Direct, indirect, and induced economic output
 - ▶ \$17.4 billion

▶ Florida

- ▶ Direct economic output
 - ▶ \$280 million
- ▶ Direct and indirect economic output
 - ▶ \$480 million
- ▶ Direct, indirect, and induced economic output
 - ▶ \$660 million





Recycling for Zero Waste

An SWS Company

Sun Recycling -Annually processes over

4 million cubic yards of material at an average overall diversion rate of 84%.

The **West Palm Beach** facility is currently recycling at over **92% YTD.**





Kim Williams – Marpan Recycling

- C&D Recycling
- Florescent light bulbs recycling

MARPAN
RECYCLING

MARPAN

RECYCLING

1994 - Began Recycling fluorescent lamps along with C&D Hauling.

2004 - Bought a competitor and grew C&D Hauling – recognized materials being taken to the landfill had value. Began researching C&D Recycling

2008 – Opened our Recycling Plant

2014 – Marpan processed over 70,000 tons of C&D and Class III Material

Over 65% Recycling Rate.





2014 Florida Recycling

SUMMIT

November 12th 2014

Would like to thank our sponsors



Florida Recycles DAY 2014

November 18th 2014





Publix.



Office DEPOT.

MARPAN RECYCLING



FLORIDA RESTAURANT & LODGING ASSOCIATION

IBWA INTERNATIONAL BOTTLED WATER ASSOCIATION



Florida Retail Federation

FLORIDA Beverage Association



CEMEX

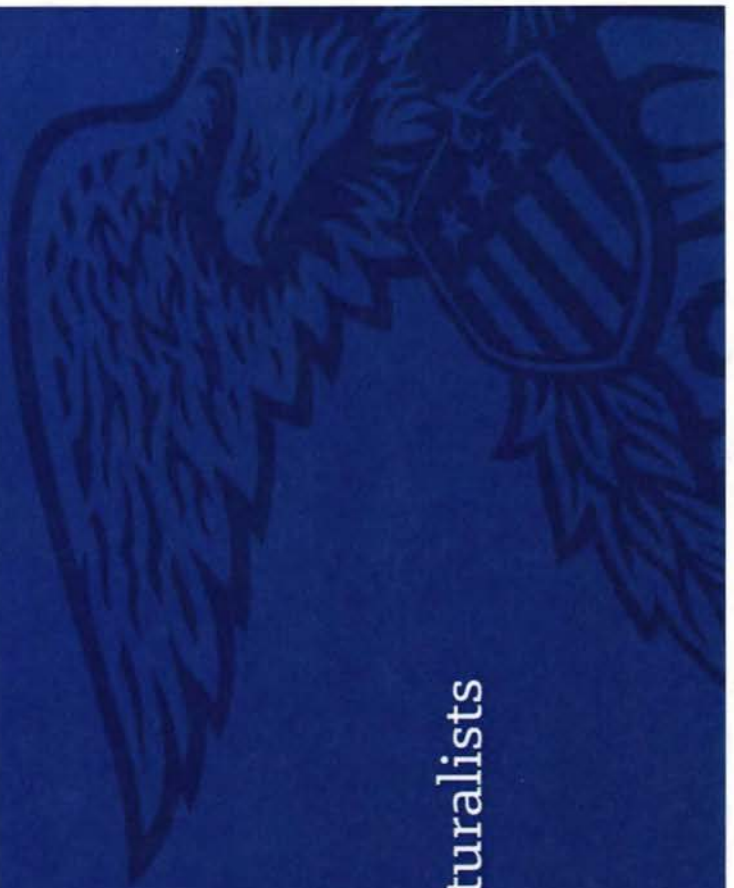
WWM WASTE MANAGEMENT

Wawa

Future Farmers of America



FLORIDA FFA ASSOCIATION
The Next Generation of Agriculturalists

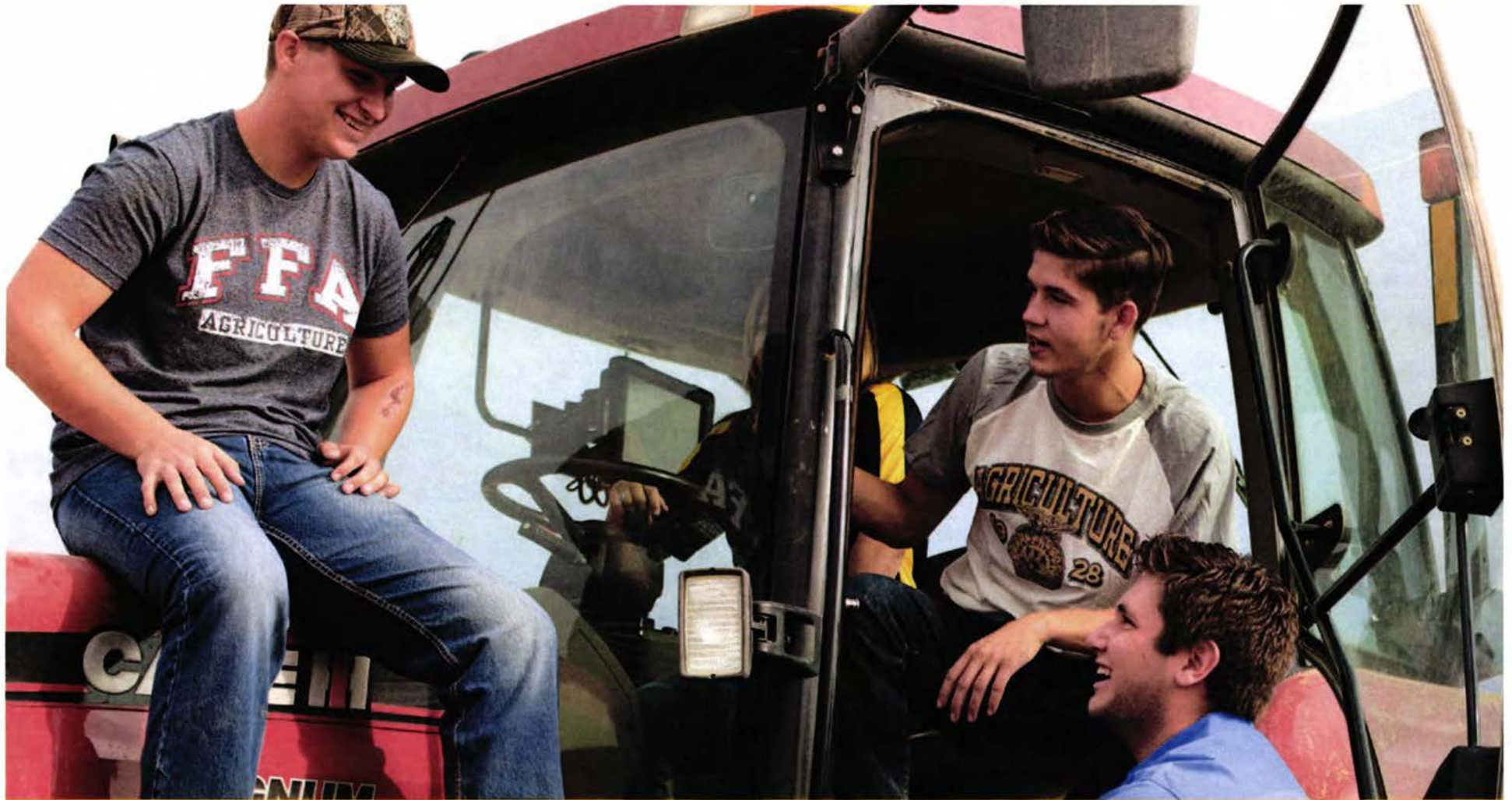


70%

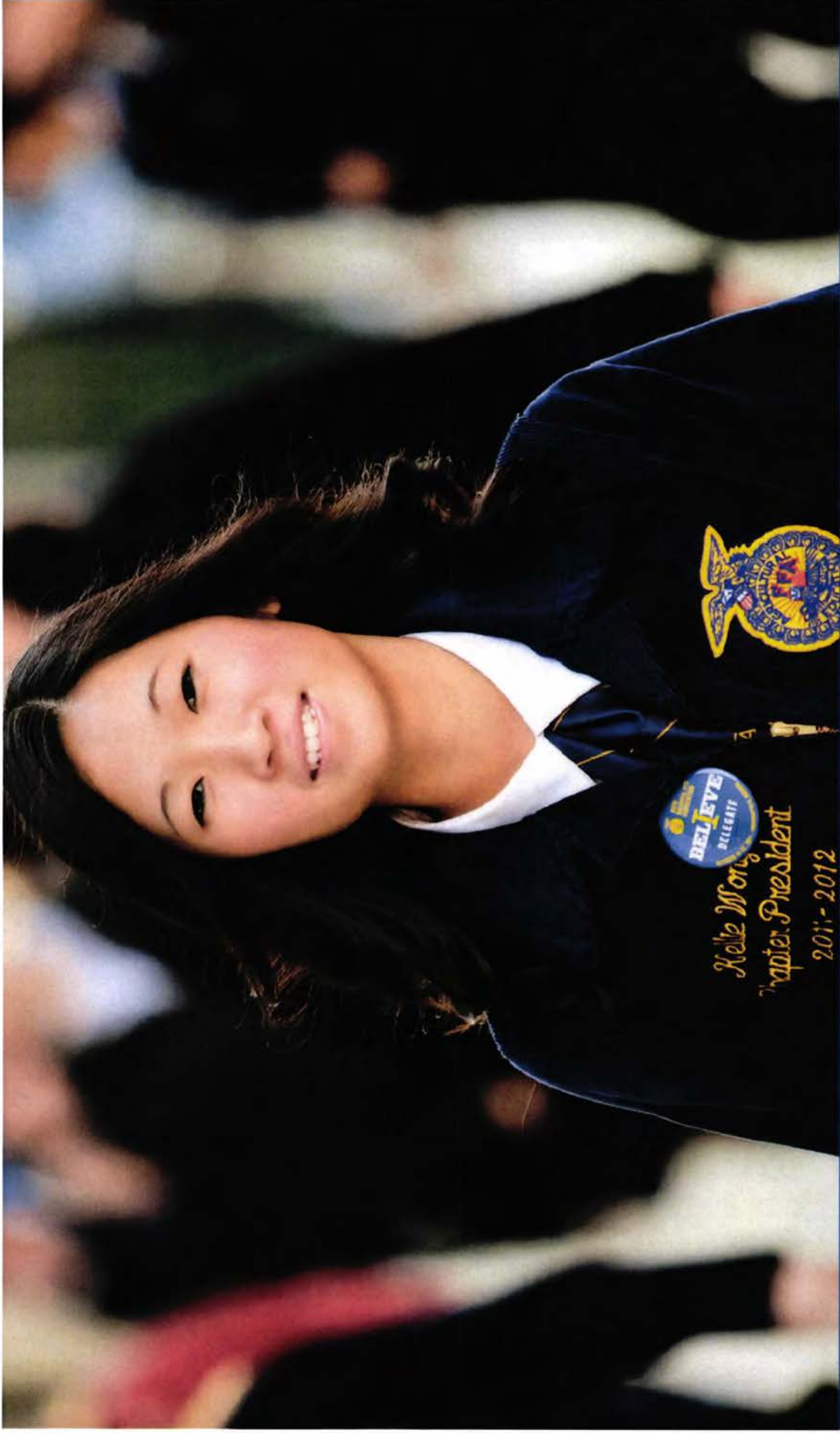
By 2050, agricultural production will need to increase by 70% in order to feed 9 billion people. With less land, water, and resources.

The future of agriculture is much more than farming. It's about the next generation of agriculturalists and a new age of discovery.





We are addressing a very key issue: the growing need for young, talented people in a variety of fields to consider a career in agriculture.

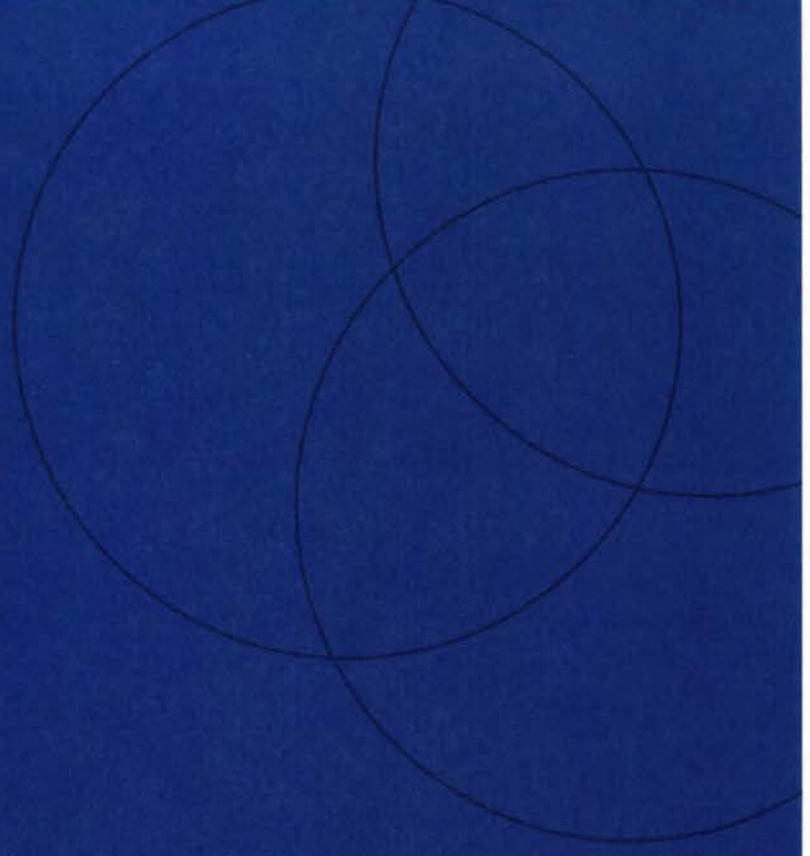


FFA is only part of a comprehensive strategy to build a heroic workforce and reconnect people with agriculture.

1928

33 farm boys started the organization in 1928, and now over 610,000 members are developing their potential for premier leadership, personal growth, and career success through agricultural education and FFA.

FFA is the most recognized component of agricultural education, but Supervised Agricultural Experiences and the classroom create a complete experience for our students.





Students can choose from eight different career pathways, preparing them for the workforce and college.



Supervised Agricultural Experiences allow students to gain real-world experience and apply their skills and knowledge from FFA and the classroom.



Agricultural education proudly provides students with one of the most complete educational experiences available.

We've got some work to do before 2050, but we're up for the challenge. Our growing pains are a positive sign:

- Record membership
- Record participation



As we continue to grow and close the gap, we face some challenges we hope to overcome:

- FFA has reached its capacity in regards to the services and opportunities we provide our members
 - Recruiting and retaining qualified and certified teachers
 - Classroom size and funding
- 



Together, we'll face these issues in an effort to tackle a global challenge.



THE FFA MISSION

FFA makes a positive difference in the lives of students by developing their potential for premier leadership, personal growth and career success through agricultural education.

THE AGRICULTURAL EDUCATION MISSION

Agricultural education prepares students for successful careers and a lifetime of informed choices in the global agriculture, food, fiber and natural resource systems.

The Florida FFA Association is a resource and support organization that does not select, control, supervise or approve local chapter or individual member activities except as expressly provided for in the Florida FFA Constitution and Bylaws.

The Florida FFA Association affirms its belief in the value of all human beings and seeks diversity in its membership, leadership and staff as an equal opportunity employer.