

**Florida Native Plant Society  
Florida Legislative Policy Considerations**

**2009 General Legislative Session Re-Cap**

**State Budget**

- No funding for the Florida Forever program was allocated for the upcoming fiscal year.
- Funds providing scientific evaluation and other due diligence work of conservation were cut or eliminated completely.
- All Conservation Trust Funds Raided, including lake restoration; land management personnel and equipment; Water Management District, DEP and FWCC management operations all cut to below subsistence levels.
- FWCC suffered \$12.7 million reduction in invasive plant management fund.
- Ecosystem Management and Restoration, Non-Game and Water Quality Trust Funds all gutted.
- All swept revenues redirected to General Fund and Trust Funds capped at pre-2003 levels.
- Cuts by 19% to Coastal and Aquatic Managed Areas resulted in staff and operations losses of Aquatic Preserves.
- Florida Oceans and Coastal Council cut
- \$50 Million was for Everglades Restoration
- \$240,000 was provided for Endangered Plant Species
- \$445,000 was provided for Florida Natural Areas Inventory
- State Park closures were narrowly avoided

**Substantive Bills Passed**

- Seagrass and Coral Reef Protections - HB 1423 Rep. Baxter Troutman (R- Winter Haven). Better protects seagrass in aquatic preserves from propeller scarring and provides penalties for vessel damage to Florida's coral reefs. **Supported.**
- Crescent Loophole Fix - SB 2430 Sen. Al Lawson (D-Tallahassee). Closes a corporate tax loophole and provides important revenue to protect the state's bond rating, ensuring Florida Forever funding appropriated in 2008 can be spent sooner than anticipated. **Supported.**
- Florida Friendly Fertilizer - SB 494 by Senator Bennett (R – Bradenton). Hinders the effective management of urban fertilizers and the protection of water resources, especially the management of nutrients on the state's water quality, and preempts local control of fertilizer management. **Opposed.**
- Aircraft Safety - HB 1065 by Rep. Plakon (R – Longwood). Allows airport officials to eliminate wildlife and habitat if that flora and fauna are deemed a threat human life or aircraft safety. Officials are declared free from administrative, civil, or criminal penalties, restrictions, liabilities, or other restriction when taking an action to protect against such "wildlife hazards". **Opposed.**
- Water Conservation - SB 2080 Sen. Alexander (R-Lake Wales). Bill would delegate water use and environmental permit decisions previously made by the

governing boards of water management districts to district executive directors, without input by the public. Also limits districts' bonding authority. Contains the Florida Friendly Landscape Irrigation Design language that includes FNPS as co-creators of WMD irrigation and landscape design standards. **Opposed but Amended.**

### **Substantive Bills Failed**

- Springs Legislation SB 274 by Sen. Lee Constantine (R-Altamonte Springs). Tighter controls on nutrients and development around springs failed due to objections by some local governments and the septic tank industry. **Supported.**
- Renewable/Clean Energy Standards SB1154 by Sen. Jim King (R-Jacksonville). The renewable energy bill would have reached a 20% goal for use of renewable energy sources, but could have included nuclear energy. **Supported initially.**
- Water Conservation – HB 593 by Rep. Boyd (D – High Springs). Revises definition of Florida-friendly landscape to delete references to "xeriscape". Requires local ordinances & amendments to incorporate landscape irrigation & design standards and identify specified invasive exotic plant species. Requires WMDs to consult with additional entities, including FNPS to create Florida-friendly landscaping irrigation and landscape design standards. Bill amended badly on the House Floor and passed, but died in Messages before Senate could help. **Amended and Supported.**
- Oil and Gas Exploration – HB 1219 by Rep. Cannon (R – Winter Park). Would open up Florida waters within three miles of the coastline to oil and gas exploration and drilling. **Opposed.**
- Public Land Management Privatization - HB 1355 Rep. Debbie Mayfield (R-Vero Beach). Used flawed data relating to cost and scope of public land management in an attempt to privatize management in various conservation areas. Private land managers under the \$4.5 million annual payment would cost more than public managers currently charged with same duties. **Opposed.**

### **Related Actions**

- Actions taken by FNPS grassroots members on Florida Forever funding was helpful in garnering legislative and media attention for our organization as well as the issue.
- Veto Requests by FNPS and other conservation groups were made on the worst bills passed, including SB 2080, HB 1065 and SB 494, but all bills were ultimately signed by the Governor.
- An official Proclamation by the Governor has been submitted requesting establishment of a Florida Native Plant Appreciation Week to draw attention to FNPS interests.
- FNPS and other organizations have worked to secure high profile media coverage, including major newspaper Editorials in favor of funding for Florida Forever.

## **2010 General Legislative Session Outlook**

### **Budget Expectations**

- DEP did not request any funding for Florida Forever in its 2010 Annual Legislative Budget Request (LBR).
- There is a possibility the Governor will request full or partial funding for Florida Forever in his Annual Governor's Budget Recommendations.
- Generally, agencies receiving land management dollars from the CARL Trust Fund have requested only 54.6% of their available funds (by formula) for management activities. This includes DEP State Parks, Agriculture, FWCC, DEP Greenways and Trails, and DEP Coastal and Aquatic Managed Areas.

### **Substantive Issues**

- **Water**
  - There will likely be an attempt to reverse the "local sources first" law that restricts the mass movement or subversion of water resources from North Florida, generally, to water shortage regions such as Southwest and South Florida for South Florida's water supply purposes.
  - A new super-regulatory authority (think University Board of Governors, Environmental Regulation Commission) may be established to oversee the state's five water management districts in an effort to centralize water management.
  - A new funding source or mechanism could be established to fund the development of alternative water supplies as a means to minimize reliance on local ground and surface waters.
  - A number of existing statutes governing water could be moved to a separate new Part VII of Chapter 373, particularly statutes that regulate water resources, and other statutes could be reorganized.
- **Springs**
  - A new springs bill will be filed by Senator Constantine to strengthen controls on nutrients flowing into springs as well as limit some development around springs.
- **Fertilizer**
  - Legislation or at least a Joint Resolution is expected from agricultural and industry groups that will limit the proposed EPA setting of numeric nutrient standards for pollution entering water bodies.
- **Energy**
  - Proposals are being filed to re-create many of last year's provisions encouraging or mandating use of renewable energy sources and energy efficiency standards.
  - One proposal calls for advanced cost recovery for any power plant that reconstructs itself as a biofuel manufacturing plant.
  - Other biofuel proposals are expected, including bills allowing for propagation of non-native plant species as biofuel crops.

- **Invasive Species**
  - Bills are being filed to outlaw the importation or sale of some species of pythons and other reptiles.
- **Oil and Gas Exploration**
  - Legislation much like last year's to open up Florida waters to near shore oil and gas exploration and drilling is expected. The Senate has so far indicated it is in no hurry to take up the legislation, but all bets are off when the House refuses to take up a Senate priority during Session.