

MEMORANDUM

Agenda Item No. 11(A)(4)


TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: September 4, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution supporting the State of Florida plan to encourage and promote the cultivation and processing of industrial hemp; directing the County Mayor to organize and host one or more informational sessions on the application process for the Florida industrial hemp program; and directing the County Mayor to prepare a report on the opportunities for the Miami-Dade agricultural industry to cultivate and process industrial hemp products and to partner with research and education institutions

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava and Co-Sponsor Commissioner Sally A. Heyman.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: September 4, 2019

FROM: Angail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(4)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(4)
9-4-19

RESOLUTION NO. _____

RESOLUTION SUPPORTING THE STATE OF FLORIDA PLAN TO ENCOURAGE AND PROMOTE THE CULTIVATION AND PROCESSING OF INDUSTRIAL HEMP; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ORGANIZE AND HOST ONE OR MORE INFORMATIONAL SESSIONS ON THE APPLICATION PROCESS FOR THE FLORIDA INDUSTRIAL HEMP PROGRAM; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE A REPORT ON THE OPPORTUNITIES FOR THE MIAMI-DADE AGRICULTURAL INDUSTRY TO CULTIVATE AND PROCESS INDUSTRIAL HEMP PRODUCTS AND TO PARTNER WITH RESEARCH AND EDUCATION INSTITUTIONS

WHEREAS, agriculture is a leading industry in Miami-Dade County, employing 20,000 people and producing \$2.7 billion in impact to the County's economy; and

WHEREAS, the North American Free Trade Agreement (NAFTA) has had effects on the Miami-Dade row crop industry and its replacement United States Mexico Canada Agreement (USMCA) will likely continue to affect Florida farmers according to a 2019 study by the University of Florida's Institute of Food and Agricultural Sciences; and

WHEREAS, Miami-Dade County has been a leader in agricultural innovation and experimentation; and

WHEREAS, industrial hemp has potential for use in a variety of products, including food, oil, fiber, cosmetics, textiles, and fabrics; and

WHEREAS, according to the Congressional Research Service, while hemp and marijuana derive from the same species of plant, *Cannabis sativa*, federal law defines the two products separately, requiring that hemp have less than 0.3 percent delta-9 tetrahydrocannabinol (THC); and

WHEREAS, the Agricultural Act of 2014, P.L. 113-79, (“the 2014 Farm Bill”) and Agriculture Improvement Act of 2018, P.L. 115-334 (“the 2018 Farm Bill”), introduced further regulatory distinctions between hemp and marijuana; and

WHEREAS, the 2014 Farm Bill provided for new policies related to industrial hemp, specifically allowing research institutions and state departments of agriculture to cultivate and study industrial hemp; and

WHEREAS, the 2018 Farm Bill excluded industrial hemp from Schedule I of the Controlled Substances Act, and directed states to create their own regulations to license the production of industrial hemp by authorized growers; and

WHEREAS, the 2018 Farm Bill further made hemp eligible for crop insurance programs and United States Department of Agriculture (USDA) research and development programs; and

WHEREAS, in 2019 the Florida Legislature enacted Senate Bill 1020 to establish the state hemp program within the Florida Department of Agriculture and Consumer Services; and

WHEREAS, the state is developing hemp program rules regulating licensures and cultivation practices for review and approval by the USDA; and

WHEREAS, the state has promulgated draft rules for its industrial hemp program, which must be submitted to the USDA within 30 days of adoption in accordance with Senate Bill 1020; and

WHEREAS, regarding USDA approval, the Florida Agricultural Commissioner Nikki Fried was quoted in a July 8, 2019, article in the Washington Post as stating “I’d like to see the first seeds in the ground in 2019”; and

WHEREAS, Miami-Dade growers may have the potential to leverage industrial hemp as both a summer rotational crop and a mainline business with significant opportunities to develop value-added products, creating local jobs in a new and rapidly expanding market; and

WHEREAS, with the State of Florida embracing industrial hemp through research institutions, there are new opportunities to capitalize on the agricultural research institutions in the County such as the University of Florida Institute for Food and Agricultural Science Tropical Research and Education Center and the Florida International University Agroecology Program, to ensure Miami-Dade takes a leadership role in the growth of this industry,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board supports the State of Florida plan, enacted in Senate Bill 1020, to encourage and promote the cultivation and processing of industrial hemp within the State of Florida.

Section 2. This Board directs the County Mayor or County Mayor's designee to organize and host one or more informational sessions on the application process for the Florida industrial hemp program prior to the State opening licensing applications.

Section 3. This Board directs the County Mayor or County Mayor's designee to prepare a report on (a) the opportunities for the agricultural industry in Miami-Dade to cultivate and process industrial hemp products and (b) the opportunities to partner with research institutions at the University of Florida, Florida International University and other institutions of higher education on production, cultivation, and use of industrial hemp.

Section 4. This Board directs the County Mayor or County Mayor's designee to provide a report to this Board within 90 days of the effective date of this resolution including, among other things, recommendations resulting from the study, and to place the report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava and the Co-Sponsor is Commissioner Sally A. Heyman. It was offered by

Commissioner _____, who moved its adoption. The motion was seconded by

Commissioner _____ and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of September, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Lauren E. Morse