



Florida Forestry Association 2021 Legislative Position Statements

ISSUE 1 – Florida’s Right to Farm Act

As Florida’s population continues to increase, the pressure on agricultural and silvicultural operations grows exponentially. In too many areas of Florida, new houses and developments bring in residents who do not appreciate the sights, sounds, noises, and smells of agricultural and silvicultural operations. To this end, Florida’s Right to Farm law was purposely designed to protect agricultural and silvicultural operations from nuisance lawsuits and other general aggravation. Recently, we have begun to see a push to attack agriculture and silviculture for normal and customary burning activities. In addition, groups which are not based in Florida have threatened lawsuits and other actions to stop or fundamentally change normal and customary agricultural and silvicultural activities.

Florida Forestry Association Position:

The Association supports strengthening Florida’s Right to Farm law to protect agricultural and silvicultural landowners from frivolous lawsuits and to further recognize and protect normal and customary land management activities.

ISSUE 2 – COVID Liability Protection/Lawsuit Abuse

Perennially, tort reform is the most difficult of issues to quantify for your business’s bottom line. Often this is because the reforms don’t go far enough or, simply, an attorney finds a way around the reform to proceed with legal action. During a large part of 2020, the Association, along with many business groups, has been discussing several specific lawsuit abuses and liability improvements to help Florida businesses. Simultaneously, as the novel coronavirus has impacted many, the need to provide protection to employers who are doing everything reasonable to protect their employees has risen to the top of the heap.

Florida Forestry Association Position:

The Association supports legislation protecting employers from frivolous lawsuits and creating clear, reasonable parameters for businesses to follow as an affirmative defense from COVID-19 lawsuits. In addition, the Association supports efforts to protect employers from costly, frivolous lawsuits which do little to protect employees, hurt the employers, and significantly increase the cost of doing business in Florida.

ISSUE 3 – Wildlife Best Management Practices

Recently, some groups have been pushing to make the voluntary Wildlife BMPs mandatory to obtain an exemption from filing for an incidental take permit during management activities. This action flies in the face of and disregards the many successes of the existing program, as well as the willing partnerships landowners have chosen to forge to protect species. The Wildlife BMP program continues to be a success and should be utilized by other states as a successful example for species protection as opposed to being morphed into a government program which discourages willing participation.

Florida Forestry Association Position:

The Association supports the continued use of the Wildlife BMP manual as a voluntary, incentive-based program which allows landowners to appropriately protect species on their land and continues to recognize the success of willing participants for the betterment of the habitat and the species.

ISSUE 4 - Private Property Rights

Private property rights are a basic tenet of our constitutional republic. Notwithstanding this fact, it wasn't until the passage of the Bert J. Harris Private Property Rights Act by the Florida legislature that landowners in Florida had an affirmative defense for a government taking of their property. To put it simply, the Harris Act fundamentally strengthened a landowner's position against the government in dealing with governmental actions which inordinately burden the landowner. As with any law, good or bad, as time goes by it often becomes necessary to update and tweak the law based on experience or court rulings.

Florida Forestry Association Position:

The Association supports legislation which strengthens the Harris Act and private property rights in general.

ISSUE 5 – Ecosystem Services

Agricultural and silvicultural lands are, in many ways, the last line of defense in a rapidly urbanizing state. In addition to providing the food, fiber, and foliage to a global economy, these lands are actively managed to provide habitat, control invasive species, and provide water recharge areas. Without question, agricultural and silvicultural lands are the only spaces left in Florida for future growth, agricultural and silviculture production, and conservation. To this end, it is imperative to rethink the values and benefits provided by these working agricultural and silvicultural lands.

Fortunately, there is much space in this area for a myriad of solutions. For example, the private sector is actively buying and selling carbon credits through long-term contracts with landowners. Nevertheless, there are still opportunities for the government to encourage or incentivize greater recognition and monetization of the many benefits these lands provide.

Florida Forestry Association Position

The Association supports renewed focus and efforts to determine the value of ecosystem services provided by agricultural and silvicultural landowners. We further support the utilization of both private and public options to monetize these critical benefits.

ISSUE 6 – Sales Tax Exemptions

As the state of Florida continues to wrestle with the impacts of the novel coronavirus, some elected officials have suggested the potential of repealing existing sales tax exemptions to help balance the state's budget. However, Florida's tax law differs from most states in that items in Florida are all taxable unless the legislature specifically provides an exemption. To this end, Florida business owners rely on these exemptions to remain competitive in the national and global market.

Florida Forestry Association Position:

The Association supports maintaining existing sales tax exemptions utilized in the wood and wood products industry.

ISSUE 7 – Trucking Weights

Fuel prices, foreign competition, and increased traffic on highway infrastructure have fueled an outcry for increased trucking weights across the nation. The Association has been and continues to be a vocal supporter of a permanent increase in truck weights on federal highways. In 2010, the state legislature approved an increase in truck weights up to 88,000 pounds on non-interstate highways.

Florida Forestry Association Position:

The Association supports federal legislation to permanently increase truck weights for transporters of ag and forestry products on federal interstate highways.

ISSUE 8 – Immigration Reform

Over the past few years, there have been legislative proposals requiring employers to use the federal E-Verify system to verify the legal status of its workers.

Florida Forestry Association Position

The Association believes immigration reform is a national issue and should be dealt with at the federal level rather than on a state-by-state basis.

ISSUE 9 – Priority Budget Issues:

Florida Forest Service –

Firefighting Helicopter	\$ 4.9 M
Firefighting Equipment Replacement	\$ 6.5 M
Rural and Family Lands Program	\$ 15.0 M

UF/IFAS –

Forestry Education	\$ 1.1 M
Workload	\$ 3.7 M

Department of Environmental Protection –

Springs Protection Funding	\$ 50 M
Florida Forever Funding	\$ 50 M