2017 LEGISLATIVE REPORT

A picture might be worth a thousand words, but statistics can tell a story as well. Take, for instance, the statistics from the 2017 legislative session. More than 3000 bills were filed this year; 231 passed. That is both the highest number of bills filed and the lowest number of bills passed in 15 years.

The session was notable on a budget level as well. Due to conflicts in the negotiations between the House and Senate, session had to be extended in order to pass the budget, which requires a constitutionally mandated 72-hour “cooling off” period before a vote can be taken. The session was scheduled to end on Friday, May 5, 2017, but legislators had to return for one day the following Monday.

The forestry community faced several challenges during those budget negotiations. Ultimately, this was the outcome:

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount Requested</th>
<th>Amount Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Healthy Forests/Coast Share</td>
<td>$3 million</td>
<td>$0</td>
</tr>
<tr>
<td>Rural &amp; Family Lands</td>
<td>$59 million</td>
<td>$10 million</td>
</tr>
<tr>
<td>Springs Protection</td>
<td>$50 million</td>
<td>$50 million</td>
</tr>
<tr>
<td>FFS Fire Equipment Replacement</td>
<td>$5.8 million</td>
<td>$5.9 million</td>
</tr>
<tr>
<td>FFS Land Management</td>
<td>$5.8 million</td>
<td>$11.9 million</td>
</tr>
<tr>
<td>Florida Forever</td>
<td>$15 million</td>
<td>$0</td>
</tr>
</tbody>
</table>

After Gov. Rick Scott announced his list of budget vetoes, a three-day special session was called; however, no forestry priorities were included in the call.

The policy arena offered a mixed array of proposals. Below you will find information about bills important to forestry that passed and failed during the 2017 legislative session:

Bills that Passed


This legislation requires notification to the Department of Environmental Protection or other appropriate authorities within 24 hours of a pollution spill.


This legislation takes potential profit out of public records requests, which has become an issue for associations and others. The bill addresses the award of attorney’s fees and monetary damages as well as defines “improper purpose” of such requests.

Referendum on Homestead Tax Exemptions – HJR 7105 by Rep. Mike Larosa; SJR 1774 by Sen. Tom Lee

This joint resolution proposes an amendment to the Florida Constitution to provide a homestead exemption, for all levies other than school district levies, on the assessed value greater than $100,000 and up to $125,000. If approved by the electors at the November 2018 general election, the amendment will take effect January 1, 2019.

Bills that Failed

Black Bears: Among other things, this proposed legislation would have prohibited prescribed burns during the month of February on land designated by the Florida Fish and Wildlife Commission as habitat in which female black bears are likely to be denning.

Disposable Plastic Bags: Proposed legislation allowing certain coastal communities to initiate pilot programs to regulate or ban disposable plastic bags within their boundaries was passed by only one committee. This legislation’s impact on forestry would have been in regards to the precedence it would have set, with bans potentially expanding to paper bags as well.

E-Verify: This proposed legislation would have required employers to use the federal E-Verify system to verify employment eligibility, which can be an expensive and time consuming endeavor.

Forestry Tags: This proposed legislation would have allowed truck tractors with forestry tags to travel anywhere within the state rather than limiting them to a 150-mile radius of their home address, as they currently are.

Fracking Ban: Proposed legislation to enact a statewide fracking ban was heard by only one committee in the Senate. It never made it to committee at all in the House.

Funding for Florida Forever: A bill was filed in the House late in session, which would have restructured the Florida Forever funding formula to provide 40 percent for Rural and Family Lands, 35 percent to the Department of Environmental Protection for the priority acquisition list and 25 percent to the Florida Communities Trust grant program.

In addition, it would have provided $57 million annually for three years to Florida Forever starting in fiscal year 2018-19, with amounts increasing after that.

Many thanks go to all the legislators and their staffs for their hard work and dedication in serving the citizens of Florida. Much appreciation also goes to our members and partnering groups who met with their representatives and senators to discuss our issues. Your membership matters and your voice counts!
FEDERAL UPDATES

A group of Association Board members and staff traveled to Washington, D.C., June 13-15, 2017, to visit with their elected officials on the federal level. Preserving current timberland tax provisions was a main feature of their agenda. Many thanks go to all those who participated in the fly-in for making the voice of forestry heard in our nation’s capital.

Issues of interest currently seeing action in Washington are highlighted below:

Taxes: President Donald Trump has released his tax plan, which was met with a large degree of favorability from GOP congressional leaders. The plan eliminates the infamous estate tax, also known as the “death tax,” and preserves the current capital gains tax rate of 20 percent. The status of priorities for timberland owners, such as deductions for forest management expenses and the treatment of timber income as capital gains, remains uncertain. The Association is working with its national partners to educate policy makers on all levels about these issues.

H-2B: Our partners at the Forest Resources Association report that the government’s funding bill provides the Secretary of Homeland Security, in consultation with the Secretary of Labor, the authority to raise the H-2B cap significantly, determined that there is an economic need. It limits the total number of H-2B workers that may enter the U.S. during fiscal year 2017 to 129,547, the number of new and returning H-2B workers admitted to the U.S. in fiscal 2007.

Forestry’s primary use for H-2B workers is for tree planting. This language allows the Secretaries of Labor and Homeland Security to collaborate and raise the 66,000 cap if it is deemed necessary. The forest industry would have to make the case to the agencies when the 66,000 cap is getting filled, and they can double the number of visas if needed.

Biomass: Our partners at the National Alliance of Forest Owners report that they are working on language that holds a “close supervision” requirement that state Forest Action Plans be the basis for project selection.

Future Logging Careers Act: This legislation would ensure that the next generation of mechanical timber harvesters can gain on-the-ground safety training and experience under the close supervision of their parents. It amends the Fair Labor Standards Act of 1938 to allow sixteen- and seventeen-year-olds in mechanized logging operations to work in the business under parental supervision.

PERMITS NOT NEEDED FROM WATER MANAGEMENT DISTRICTS TO PRACTICE SILVICULTURE

BY ROY LIMA, FLORIDA FOREST SERVICE

The Florida Forest Service’s Forest Hydrology Section provides specialized technical services and information to Florida’s private and public forest landowners for the protection of the State’s water resources in association with silviculture activities. The core of this area of service is Florida’s Silviculture Best Management Practices (BMP) program, which originated in 1979. Under this program, the Forest Hydrology Section is responsible for Silviculture BMP development and implementation, as well as monitoring Silviculture BMPs for both compliance and effectiveness.

Florida’s Silviculture BMP Program was one of the first to address forest operational activities and was the first to establish a monitoring program. The use of BMPs protects our natural resources from the degradation and sedimentation that can sometimes occur because of forest operations. Silviculture BMPs also help maintain shelter and food for aquatic organisms and certain wildlife species.

The Florida Forest Service’s Silviculture BMP Foresters are located to provide information, recommendations, and technical assistance for proper silviculture BMP implementation prior to, during, and after recent forestry operations. Available services include voluntary Silviculture BMP Courtesy Checks—which are on-site inspections to evaluate ongoing or recently completed forestry operations such as timber harvesting, site preparation, forest roads, and stream crossings. Also, BMP Foresters are available to assist with Silviculture BMP planning and training.

Florida is divided into five Water Management Districts (WMD) which roughly follow the State’s major drainage systems. These are the South Florida, Southwest Florida, St Johns, Suwannee, and Northwest Florida WMDs. Each WMD has statutory authority over the waters and wetlands within its jurisdictional boundaries.

In October 2013, all five WMDs adopted identical language under a new “No-fee Noticed Exemption” (62-330.051 F.A.C.). This new language specifically exempted silviculture activities from permitting by the WMDs. However, it is still necessary to “Notice” the WMDs via the Internet or by mail—but there is no longer a fee for doing so. Silviculture activities conducted in conformance with the BMPs qualify for this No-Fee Noticed Exemption. The rule language describes activities which apply and requires that Silviculture BMPs are adhered to in accordance with the current Silviculture Best Management Practices Manual (2008).

Please feel free to contact the Florida Forest Service for more information about BMPs and/or the Water Management Districts regarding the No-Fee Noticed Exemption. Or visit the FFS website at http://www.freshfromflorida.com/Divisions-Offices/Florida-Forest-Service-Best-Management-Practices-BMP.

Jeff Vowell, Assistant Director, and Program Administrator
850-681-5820 Jeff.Vowell@FreshFromFlorida.com
Roy Lima, Panhandle Area
850-681-5942 Roy.Lima@FreshFromFlorida.com
Robin Holland, Peninsula Area
352-722-1273 Robin.Holland@FreshFromFlorida.com

#FORESTPROUD MEMBERSHIP CAMPAIGN

What’s better than growing the Association that represents Florida’s forest industry and sharing all the reasons we are ForestProud? Winning a two-day stay at a luxurious beach resort – and/or cash – for doing it!

Members will be awarded one point for every dollar generated from dues received through new members or reinstated members. The winner of Round Two (February 1 – July 31, 2017) receives two nights at the Sandestin Golf & Beach Resort. The overall winner – the person who has earned the most points in Rounds One and Two combined — receives a cash prize of $500!

For more information, contact Debbie Bryant at 850.222.5646 or Debbie@ForestFla.org.

THE PROGRAM LAUNCHES

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The program provides specialized training for the protection of the State’s water resources in association with silviculture activities. The core of this area of service is Florida’s Silviculture Best Management Practices (BMP) program, which originated in 1979. Under this program, the Forest Hydrology Section is responsible for Silviculture BMP development and implementation, as well as monitoring Silviculture BMPs for both compliance and effectiveness.

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The class is led by Bryan Olmert, a longtime member and past president of the Association. The Association’s Alan Shelby and Mike Branch spoke to the students on the first day of class, discussing rules and regulations affecting forestry and the history of harvesting in Florida. The students also attended the two-day Florida Master Logger Training event in Lake City in June.

SUSTAINABLE FORESTER AWARD

Audubon Florida is seeking nominations for its Sustainable Forester Award, which will be presented at the Florida Forestry Association’s Annual Meeting:

Criteria: Florida Based Forester, Forestry Family or Forestry Business, with demonstrated improvements in bird and wildlife habitat and water resources through sustainable forest management practices.

Easy Nomination: Letter with photographs and supportive documentation of sites managed and improved results. Please include contact information for nominated forester and nominator. Supportive letters appreciated but not necessary. Please limit to five pages or less.

Send to: Eric Draper, edraper@audubon.org, Executive Director Audubon Florida

Deadline: July 31, 2017

Selection committee: Florida Forestry Association and Audubon Florida

For more information, please contact Sean Cooley at 850-999-1030.
Join your friends and business associates at the beautiful Sandestin Grand at Baytowne Wharf for three days of networking, learning and celebrating another year in the amazing forest industry! The resort offers gorgeous gulf views, fabulous food and shopping within easy walking distance and a host of other offerings that is sure to make this year’s event one of the best ever!

The state’s largest forestry trade show is held in conjunction with the Annual Meeting, featuring exhibits by the industry’s cutting edge equipment and service providers. Don’t let us leave – schedule time to meet with all the representatives to find out the latest and greatest developments for forestry professionals in today’s marketplace!

As always, our Silent Auction will be a main attraction. You will be the envy of your friends and associates when you walk away with the top bid on any item in our slate of auction offerings! If you have something you'd like to donate to the auction, please contact Debbie Bryant at 850.222.5646 or Debbijf@ForestFla.org.

The schedule below outlines all the events as well as our session topics and speakers. A registration form is available under the Annual Meeting tab on our website (www.FloridaForest.org) or by calling the Association office (850.222.5646).

**Register now for the best rates!**

### TENTATIVE SCHEDULE OF EVENTS

**Tuesday, August 29, 2017**

- 10:00 AM–6:00 PM: Trade Show Set-Up/Silent Auction Open
- 1:00 PM–6:00 PM: Trade Show Set-Up
- 1:00 PM–3:00 PM: Trade Show Open
- 3:30 PM–4:30 PM: Trade Show Open
- 5:30 PM–7:00 PM: Trade Show Open

**Wednesday, August 30, 2017**

- 6:45 AM–8:00 AM: Early Bird Coffee
- 6:45 AM–12:00 PM: Registration Desk Open
- 8:30 AM–10:30 AM: Awards Breakfast
- 10:45 AM–11:45 AM: General Session: Commissioner Adam Putnam (Invited)
- 11:45 AM–1:30 PM: Lunch on your own
- 12:00 PM–1:15 PM: Master Lopper Luncheon:* Safety on Site, Darlene McDonald
- 1:30 PM–2:30 PM: General Session: Florida Forestry Economic Impact Study, Dr. Red Baker & Dr. Alan Hodges
- 2:30 PM–4:00 PM: Trade Show Social and Silent Auction Final Bidding
- 5:00 PM–6:00 PM: Silent Auction Item Pickup
- 6:00 PM–8:00 PM: Closing Dinner
- 8:00 PM–8:30 PM: Auction Item Pickup & Trade Show Teardown

**Thursday, August 31, 2017**

- 6:45 AM–12:00 PM: Trade Show Set-Up
- 6:45 AM–8:15 AM: Early Bird Coffee
- 6:45 AM–4:00 PM: Silent Auction Open
- 8:30 AM–10:30 AM: Awards Breakfast
- 10:30 AM–4:00 PM: Trade Show Open
- 10:45 AM–11:45 AM: General Session: Commissioner Adam Putnam (Invited)
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- 5:00 PM–6:00 PM: Silent Auction Item Pickup
- 6:00 PM–8:00 PM: Closing Dinner
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