LEGISLATIVE WRAP-UP

Provided by Jim Spratt, Association Lobbyist

The Florida Legislature adjourned Sine Die at roughly 2:30 pm on Friday, April 30, concluding what can only be described as a totally unique and extraordinary 60 days. Although session was different because the capitol was largely off limits due to COVID-19 safety protocols, at the end of the day the final numbers and budget reflect an ordinary session. For example, there were north of 3,000 bills filed during the 2021 session; ultimately only 275 bills were passed by both chambers. The attrition of bills is normal and serves as a great reminder that the process is really designed to keep bills from passing.

Globally, the legislature delivered on big policy issues which are part of a larger national discussion: anti-suiting legislation, elections reform, transgender issues, and social media platform reforms.

As for the state budget, what a difference a few months make! Leading up to the 2021 session, lawmakers warned of tough budget times. Honestly, a year ago, no one could predict how our economy would function as we all dealt with impacts from a global pandemic. In fact, the initial budgets proposed by both the Senate and the House were based on roughly a $3 billion shortfall in the state’s revenue collections. However, revenue estimates ultimately outperformed predictions and in March, the estimates were highlighted at $2 billion above original projections. In addition, the state received roughly $10 billion in federal coronavirus relief funds. The result was the passage of a $101 billion state budget.

The 2021 session was full of victories for the forest and agricultural industries as well as the business community at large.

**HB 007/ SB 072, COVID Liability Protection by Rep. Lawrence McClure/ Sen. Jeffery Brandes:**
A key priority issue for the Governor, President of the Senate, the Speaker of the House and the Florida business community, this legislation provides Florida businesses with critical protections from frivolous lawsuits relating to COVID-19. Working in partnership with other business groups and participation with the Associated Industries of Florida RESET Taskforce, many of the recommendations for common sense practical measures were included into the law. Specifically, the legislation creates a limited cause of action for COVID-19 related claims:

- heightened culpability standards – a defendant must prove a business acted with gross negligence or intentional conduct;
- a heightened evidentiary standard – clear and convincing evidence is required to establish liability rather than a preponderance of evidence; and
- a shortened statute of limitations for COVID-related claims.

The Association’s number one priority bill for the 2021 session, this legislation modernizes and strengthens Florida’s Right to Farm Act. Unquestionably, this legislation reflects the legislature’s intent to protect food, fiber and foliage producers in Florida. Given the continued population growth of the state, it also telegraphs the importance of protecting one of Florida’s leading industries.

The bill includes provisions which minimize the potential for lawsuits by putting guardrails on who can bring a suit and discourage frivolous lawsuits by allowing the farmer to collect attorney’s fees if they prevail in a court case; limit the amount of compensatory damages to the value of the property harmed and only allow for punitive damages in specific situations; and modernize the Right to Farm Act by extending protections to agritourism activities and expanding the roadside stand provision to include all “Farm Products” as defined in 823.14 FS.

This legislation contains a number of improvements to the Bert J. Harris Private Property Rights Act:

- uniformly applies the timeframe to respond to a Bert Harris claim down from 150 days to 90 days for all types of property;
- allows the property owner to elect to forego a jury trial for damages and move directly to a bench trial;
- adds language reinforcing that a settlement between a landowner and government entity are in the public interest;
- provides that if a property owner prevails in a Harris Act Claim then the property owner is entitled to having the government entity pay the attorney’s fees; and
- clarifies that real property includes subsurface (oil, gas and mineral) rights.

This legislation creates a nexus between solar facilities and agricultural lands prospectively. In summary, this legislation states that a solar facility is a compatible use on all agricultural land-use categories contained in a local government comp plan. This legislation allows a local government to adopt ordinances relating to the setback or buffers for said solar facilities; however, the requirements must be similar to the setbacks and buffers established for agricultural facilities.

This legislation provides liability protection for landowners who enter into contracts with the State, which allow for ingress and egress through private property to access public recreational lands. This legislation, which moved rather quietly through the process, is a commonsense approach to protecting landowners who choose to provide a service to the state from frivolous lawsuits.

This legislation is in response to local governments who, by ordinance or other actions, have prohibited customers from having access to specific types of power sources. Most specifically, natural gas access and utilization has been the focus on several local government actions nationally. Here in Florida, several municipal governments have considered actions to prohibit new connections to natural gas or other “non-renewable” sources. This legislation would prohibit a local government from taking such action to restrict or prohibit access to these sources of energy.

This legislation combines two separate ratifications of the Department of Environmental Protection’s (DEP) rules.

The first, which was a directive in the 2020 Clean Waterways Act, is ratification of the biosolids rule. The updated rule contains restrictions and safeguards on where and how biosolids can be land applied. The rule is consistent with the recommendations provided by the Biosolids Technical Advisory Committee (TAC).

The second ratification contained in this legislation are the Central Florida Water Initiative (CFWI) rules. Roughly 10 years ago, DEP was charged with developing rules for a geographic region of the state, including Lake, Polk, Orange and Osceola Counties, where groundwater demand was going to significantly exceed water availability.
BUDGET
As previously noted, the Legislature ultimately had more flexibility in the budget process based upon better than expected revenue estimates and the supplemental federal money through the Coronavirus Relief Package.

Florida Forest Service:
Wildfire Suppression Equipment/Replacement (includes replacement of aircraft for wildfire control) $12.2 million
Road and Bridge Maintenance projects $7 million

UF/IFAS:
UF/IFAS Workload funding $4 million
School of Forest, Fisheries and Geomatic Sciences $1.1 million
Fertilizer Rate Study $1.6 million

Florida Department of Environmental Protection:
Resilient Trust Fund $500 million
Florida Wildlife Corridors $300 million
Florida Forever $100 million
Springs Protection $75 million

On the whole, the 2021 session was extremely productive and successful on both the policy and budget fronts. We would be remiss if we didn’t specifically thank Senate President Wilton Simpson and House Speaker Chris Sprowls for their leadership. In addition, there were many members who went above and beyond on behalf of Florida’s agriculture and forestry industries including, but not limited to, Senators Jason Brodeur, Kelli Stargel, Ben Buchanan, Bobby Payne, Toby Overdorf, Chuck Clemons, Chuck Brannan, Wyman Duggan, Jason Shoaf, Kaylee Tuck and many other Senate and House members who voted to support our industry.

GRAY LOGGING EARNSS NATIONAL RECOGNITION
Congratulations to Gray Logging, LLC, of Madison, FL, for being recognized as the Forest Resources Association’s National Logger of the Year! Jerry Gray and his team at Gray Logging operate 14 logging trucks and semi-trailers, working with a number of mills within a 100-mile radius of Madison. In addition to the logging operation, Gray is very active in his community. He was instrumental in launching North Florida College’s Commercial Driver’s License program and also provided a logging truck and trailer for training.

Gray was honored at the Association’s 2020 Annual Meeting as the Florida Logger of the Year. He previously won that award in 2010 and the regional award in 2011. “Jerry Gray embodies the essence of logging at its best,” said Association President Carlton Jones. “He is known for his extensive knowledge, his strict adherence to professional practices, and his passion for the industry.” Gray will be recognized at the Association’s 2021 Annual Meeting for this latest accomplishment.

REGISTER NOW FOR MASTER LOGGER TWO-DAY INITIAL TRAINING COURSE

Do you or someone you know need to become a Certified Master Logger or Other Participant?

The Florida Forestry Association hosts an SFI certified training class once every year. This is a two-day training course that covers a multitude of topics to become a certified Master Logger or Other Participant in the state of Florida.

The class will be held July 29th-30th, 2021, at Gateway College in Lake City, FL.

THIS WILL BE THE ONLY TWO-DAY CLASS IN 2021, PLEASE REGISTER NOW IF YOU ARE INTERESTED IN PARTICIPATING. VISIT FLFORESTRY.ORG/PROGRAMS/MASTER-LOGGER TO REGISTER.

MEMBERSHIP MATTERS!
The success of any organization is highly dependent on an engaged membership. An easy and effective way to be active in the Association is through our committees: Government Relations, TREEPAC, Environmental, Steering and Communications.

To learn more about the Association’s committees and their missions, please visit the Association’s website at FLForestry.org/Programs/Committees.

WANT MORE BUCKS?
Saving money is always a good thing! Partnering with Outdoor Underwriters, Inc., the Association offers our members special reduced rates for liability insurance for hunting leases and timberland. Contact our office for more information (850.222.5646 or info@FLForestry.org).

ANNUAL MEETING INFORMATION
2021 ANNUAL MEETING & TRADE SHOW
August 31 - September 2, 2021
Sheraton Panama City Beach Golf & Spa Resort
Panama City Beach, FL

Join your friends and business associates at the beautiful Sheraton Panama City Beach Golf & Spa Resort for three days of informational sessions and networking events.

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. Make sure to meet with all the representatives to find out the latest and greatest developments for forestry professionals in today’s marketplace!

You will also want to check out this year’s Silent Auction! We are continually expanding our base of donors of offerings for this event. 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!

And of course you will not want to miss our line-up of speakers! We are excited to have some of the best and the brightest in the industry join us to share their expertise and experience.

The schedule outlines all the events as well as our session topics and speakers. The Annual Meeting tab on our website, FLForestry.org, has all the details you need, including online registration.

REGISTRATION
Register before July 30 for early bird savings.
Register online at FLForestry.org/AnnualMeeting.
HOTEL INFORMATION

Boasting the only AAA Four Diamond rating in Panama City Beach, FL, the Sheraton Panama City Beach Golf & Spa Resort is a dazzling, award-winning beachfront destination.

Settle into luxurious accommodations and experience excellent amenities including several heated pools, a full-service spa, a 24-hour fitness center and tennis courts. They also offer resort guests a range of dining opportunities, which showcase local flavors and picturesque views of St. Andrews Bay.


To reserve online, please visit the Annual Meeting section of the Association’s website – FLForestry.org.

To make reservations by phone, call 866.912.1042. Tell them you are attending the Florida Forestry Association Annual Meeting to receive our special room rate.

2021 TIMBER TOPPERS GOLF CLASSIC

Prepare yourself for an unparalleled golfing experience. The Nicklaus Design Championship Course is a pleasure for golfers of all skill levels. Recognized for its premium conditioning and risk reward opportunities, the Nicklaus Course has everything needed to challenge you and improve your game! Hit the links for an invaluable networking experience with other forest professionals and friends! Tee time is 8:00 AM, Wednesday, September 1, 2021. Register online at FLForestry.org/AnnualMeeting.

Golf is open to all Association members and their guests. Meeting registration is not required to play in the tournament, but golfers must register for the tournament in advance to ensure a spot.

FIREARM RAFFLE

$20 donation per ticket or donate $100 and receive 6 tickets!

ONE Winner’s Choice of any ONE of the following:
- Liberty Explorer 26 Gun Safe – Holds 24 long guns. 56”x26”x20” (H x W x D) 340 lbs. Free to take home OR $200 delivery fee.
- Browning X Bolt Stalker 6.5 Creedmoor Bolt Action Rifle.
- CZ USA 1012 inertia semi-automatic 12 gauge shotgun with a 28” green Cerakote barrel and walnut stock.
- Sig Sauer P320 M18 9MM carry size in a coyote color.

Drawing will be held Thursday, September 2, 2021, at the Annual Meeting. You do not need to be present to win.

Ticket stub(s) will be mailed with meeting registration confirmation.

SCHEDULE OF EVENTS

Tuesday, August 31, 2021
10:00 AM–6:00 PM Trade Show Set-Up/Silent Auction Open
1:00 PM–6:00 PM Registration Desk Open
5:30 PM–7:00 PM Registrant Reception/Exhibitor Meet & Greet

Wednesday, September 1, 2021
6:30 AM–6:00 PM Registration Desk Open
6:30 AM–8:00 AM Early Bird Coffee
6:30 AM–10:00 AM Trade Show Set-Up
6:45 AM–7:45 AM Tee-Time Coffee & Golf Registration
8:00 AM–1:00 PM Golf Tournament Shotgun Start
10:00 AM–7:00 PM Trade Show & Silent Auction Open
10:00 AM–12:00 PM Breakout Sessions:
   - Water & Wildlife Mitigation Banks – Edward Cole, Coward, Hicks and Siler, P.A.
   - Carbon Panel: Rayonier’s Carbon Achievements – Tom Fox, Rayonier
   - Carbon Opportunity Basics & General Overview – Damian Adams, UF/IFAS FFFS
4:00 PM–5:00 PM Board Meeting
5:30 PM–7:00 PM Welcome Reception/Exhibitor Meet & Greet
8:00 PM–until Evening On Your Own/Entertainment

Thursday, September 2, 2021
6:45 AM–12:00 PM Registration Desk Open
6:45 AM–8:00 AM Early Bird Coffee
8:00 AM–10:00 AM Awards Breakfast
10:00 AM–4:00 PM Trade Show & Silent Auction Open
10:30 AM–11:30 AM General Session: DC Transition & Issue Update – Clay Altizer, FRA
11:30 AM–1:30 PM Lunch on your own
11:45 AM–1:15 PM Master Logger Lunch: Intrastate vs. Interstate Regulations – Major Erick McGuire, PHP
1:30 PM–2:30 PM General Session: SE Foresty Economic Update & Market Forecast – Marshall Thomas, F&W Forestry Services
2:30 PM–4:00 PM Trade Show Social and Silent Auction Final Bidding
5:00 PM–6:00 PM Dinner Reception
6:00 PM–7:00 PM Closing Dinner
7:00 PM–9:00 PM President’s Reception
7:00 PM–9:00 PM Auction Item Pickup & Trade Show Teardown

*THE MASTER LOGGER LUNCH IS OPEN TO EVERYONE. HOWEVER, ONLY MASTER LOGGERS REGISTERED FOR THE FULL MEETING MAY ATTEND AT NO CHARGE. OTHERS WISHING TO ATTEND MUST PURCHASE A TICKET BY AUGUST 13, 2021.

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