

**STORAGE NAME:** h3671.ag

**DATE:** March 11, 1998

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
AGRICULTURE  
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

**BILL #:** HB 3671

**RELATING TO:** Timber Management

**SPONSOR(S):** Representative Sembler

**COMPANION BILL(S):** SB 840 (i) by Senator Bronson

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) AGRICULTURE
  - (2) GENERAL GOVERNMENT APPROPRIATIONS
  - (3)
  - (4)
  - (5)
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**I. SUMMARY:**

State agencies managing state-owned lands over 1,000 acres currently must prepare an analysis of multiple-use potential for the land. This bill directs that the Division of Forestry (DOF) shall prepare a component or section to be included in this analysis that shall assess the feasibility of managing timber on the parcel for resource conservation and revenue generation, as long as the timber management is not in conflict with the primary management objectives for the parcel. If the assessment concludes that timber management is feasible on the land, DOF must prepare a timber management component for the lead agency's land management plan, which is submitted to the Division of State Lands every five years.

The bill provides that, for lands that have been deemed feasible, DOF shall manage the timber on the parcels and shall be reimbursed for management services, including costs for planning, reforestation, controlling for insect, disease and exotic plant species, prescribed burning, and timber harvesting, plus an administrative charge of 10 percent of all revenue generated from the timber sales.

The Land Acquisition and Management Advisory Council (council) annually provides assistance to the Board of Trustees of the Internal Improvement Trust Fund (board) in reviewing the recommendations and plans for state-owned lands. This bill requires that the council specifically consider management of timber as a feasible multiple-use strategy for state-owned lands.

The bill requires that water management districts prepare land management plans in a manner and form prescribed by the governing board of the district. The plans must also meet the requirements of s. 253.034(5), which addresses the preparation and submission of land management plans.

State expenditures in enacting this legislation would be approximately \$694,353 in FY 1998-99, \$1,010,314 in FY 1999-2000, and \$768,061 in FY 2000-2001. Revenues cannot be calculated at this time but should provide dividends in the long-term.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Section 253.034, F.S., mandates that state agencies managing state-owned lands submit a land management plan to the Division of State Lands every five years. Currently, all plans for parcels larger than 1,000 acres contain an analysis of the multiple-use potential and the potential to generate revenues to enhance the management of the parcel.

Once land management agencies have submitted their land management plans to the Division of State Lands, the plans are made public and are reviewed by the Land Acquisition and Management Advisory Council (council). As required by section 259.035, F.S., the council must consider the optimization of multiple-use strategies on state-managed lands and provide assistance to the Board of Trustees of the Internal Improvement Trust Fund (board) in reviewing the recommendations and plans for state-owned lands.

In accordance with s. 373.591, F.S., water management districts submit land management plans which are periodically reviewed by land management review teams to determine whether lands bought for conservation, preservation, and recreation are being managed for the purposes for which they were acquired and in accordance with land management objectives. If the review team determines the lands are not being managed in accordance with their management plan, the land managing agency provides a written explanation to the management review team.

B. EFFECT OF PROPOSED CHANGES:

The bill requires that the Division of Forestry (DOF) shall prepare a component or section assessing the feasibility of managing timber on a parcel for resource conservation and revenue generation, which is to be included in the lead agency's analysis of land parcels over 1,000 acres. If land is deemed to be feasible for timber management, DOF is to prepare a timber resource management component to be included in the land management plan of the lead land managing agency, unless there is previous agreement already in place between the DOF and the lead agency.

The bill also provides that DOF shall manage the timber on the parcels described in the timber resource management component and shall be reimbursed by the lead agency for management services, including costs for planning, reforestation, controlling for insect, disease and exotic plant species, prescribed burning, and timber harvesting, plus an administrative charge of 10 percent of all revenue generated from the timber. The department is authorized to hire personnel, and acquire resources and services necessary to carry out the new responsibilities.

The bill directs that when the council reviews the recommendations and plans, it shall specifically consider management of timber as a feasible multiple-use strategy for state-owned lands.

The bill requires that water management districts prepare management plans in a manner and form prescribed by the governing board of the district. These plans must

also meet the requirements of s. 253.034(5), which addresses the preparation and submission of land management plans.

**C. APPLICATION OF PRINCIPLES:**

**1. Less Government:**

**a. Does the bill create, increase or reduce, either directly or indirectly:**

**(1) any authority to make rules or adjudicate disputes?**

No.

**(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?**

DOF will be required to visit state-owned lands and conduct assessments regarding the feasibility of managing timber on parcels over 1,000 acres. These assessments shall be written up in a component or section of the lead agency's analysis. If land is found to be suitable for timber management, DOF must prepare a timber resource management component to be included in the lead agency's land management plan, which is submitted to the Division of State Lands every five years.

Also, if land is deemed suitable, DOF will manage the timber on the parcels, including planning, reforestation, insect, disease, and exotic plant species control, prescribed burning and timber harvesting. The division will also track costs involved, and bill lead agencies for the costs of the timber management plus an administrative charge of 10 percent of the revenue generated from the timber.

**(3) any entitlement to a government service or benefit?**

No.

**b. If an agency or program is eliminated or reduced: **Not applicable.****

**(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?**

**(2) what is the cost of such responsibility at the new level/agency?**

**(3) how is the new agency accountable to the people governed?**

2. Lower Taxes: **Not applicable.**

- a. Does the bill increase anyone's taxes?
- b. Does the bill require or authorize an increase in any fees?
- c. Does the bill reduce total taxes, both rates and revenues?
- d. Does the bill reduce total fees, both rates and revenues?
- e. Does the bill authorize any fee or tax increase by any local government?

3. Personal Responsibility: **Not applicable.**

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?
- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

4. Individual Freedom: **Not applicable.**

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?
- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

5. Family Empowerment: **Not applicable.**

- a. If the bill purports to provide services to families or children:
  - (1) Who evaluates the family's needs?
  - (2) Who makes the decisions?

(3) Are private alternatives permitted?

(4) Are families required to participate in a program?

(5) Are families penalized for not participating in a program?

b. Does the bill directly affect the legal rights and obligations between family members?

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

(2) service providers?

(3) government employees/agencies?

**D. STATUTE(S) AFFECTED:**

Sections 253.034, 259.035, and 373.591, Florida Statutes.

**E. SECTION-BY-SECTION RESEARCH:**

Section 1: Amending s. 253.034, F.S.; directing the Division of Forestry (DOF) to assess the feasibility of managing timber on state-owned parcels over 1,000 acres and to prepare a component describing such assessment to be included in the lead agency's analysis; requiring DOF to prepare a timber resource management component of the lead agency's land management plan for any lands deemed feasible for timber management; requiring the division, if timber management is feasible, to manage the timber resources on the parcels and to be reimbursed for the management services plus an administrative charge of 10 percent of the revenues generated from the timber; authorizing the division to hire personnel, and acquire resources and services necessary to carry out the new responsibilities.

Section 2: Amending s. 259.035, F.S.; directing the Land Acquisitions and Management Advisory Council (council) to specifically consider management of timber as a feasible multiple-use strategy for state-owned lands.

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Section 3: Amending s. 373.591, F.S.; requiring water management districts to prepare land management plans in accordance with the governing boards of their district and to also meet the requirements of s. 253.034(5).

Section 4: Providing the act shall take effect upon becoming a law.

**III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:**

**A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:**

**1. Non-recurring Effects:**

	Amount Year 1 <u>FY 98-99</u>	Amount Year 2 <u>FY 99-00</u>	Amount Year 3 <u>FY 00-01</u>
<b>Incidental Trust Fund</b>			
Expenses*			
Uniforms @ \$480	\$3,840	\$3,360	\$0
ArcView Software @ \$990	\$7,920	\$6,930	\$0
OCO*			
3/4 ton Diesel Pick-up 4x4 w/ radio @ \$27,000	\$216,000	\$189,000	\$0
Standard OCO Package @ \$3,215	\$25,720	\$22,505	\$0
Aqua Duk Pump w/ tank @ \$1,688	\$13,504	\$11,816	\$0
GPS units @ \$1,500	\$12,000	\$10,500	\$0
Data Recorders @ \$3,000	\$24,000	\$21,000	\$0

\*These costs are for 8 FTE the 1st year and 7 FTE the 2nd year.

<b>Total non-recurring effects</b>	<b>\$302,984</b>	<b>\$265,111</b>	<b>\$0</b>
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**2. Recurring Effects:**

	<u>FY 98-99</u>	<u>FY 99-00</u>	<u>FY 00-01</u>
<b>Incidental Trust Fund</b>			
Positions**			
(8 FTE) 7615 Forester @ \$37,068/ \$38,180/\$39,325	\$296,544	\$305,440	\$314,600
(7 FTE) 7615 Forester @ \$38,180/ \$39,325	\$0	\$267,260	\$275,275
Expenses			
Professional Expense Package @ \$6,891	\$55,128	\$103,365	\$103,365
Uniform Allowance @ \$200	\$1,600	\$3,000	\$3,000
Software package @ \$500	\$4,000	\$3,500	\$0
Software package upgrade in 3rd year	\$0	\$0	\$7,500

\*\*Salaries and benefits were increased by 3% for the 2nd and 3rd years.

<b>Total recurring effects</b>	<b>\$357,272</b>	<b>\$682,565</b>	<b>\$703,740</b>
<u>Non-operating Costs:</u>	<u>FY 98-99</u>	<u>FY 99-00</u>	<u>FY 00-01</u>
Administrative/indirect non-operating costs	\$34,097	\$62,638	\$64,321
<b>Total non-operating costs</b>	<b>\$34,097</b>	<b>\$62,638</b>	<b>\$64,321</b>

3. Long Run Effects Other Than Normal Growth:

Unknown at this time.

4. Total Revenues and Expenditures:      FY 98-99      FY 99-00      FY 00-01

Revenues unknown at this time.

<b>Total of expenditures</b>	<b>\$694,353</b>	<b>\$1,010,314</b>	<b>\$768,061</b>
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## B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

Unknown at this time.

2. Recurring Effects:

Unknown at this time.

3. Long Run Effects Other Than Normal Growth:

Unknown at this time.

## C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

Unknown at this time.

2. Direct Private Sector Benefits:

Unknown at this time.

3. Effects on Competition, Private Enterprise and Employment Markets:

Unknown at this time.

D. FISCAL COMMENTS:

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to spend funds or to take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenue in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce any state tax shared with counties or municipalities.

V. COMMENTS:

The Department of Environmental Protection analysis of HB 3671 states that passage of this legislation "would duplicate the ongoing activities of other land management agencies, particularly in the areas of planning, exotic plant control and prescribed burning. The result would be decreased efficiency, blurred lines of authority and responsibility, increased duplication of effort, and increased need for interagency coordination."

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

VII. SIGNATURES:

COMMITTEE ON AGRICULTURE:

Prepared by:

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