

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Agriculture Committee

BILL: SB 1046

INTRODUCER: Senator Montford

SUBJECT: The Department of Agriculture and Consumer Services

DATE: February 22, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Looke	Spalla	AG	Pre-meeting
2.			GO	
3.			BC	
4.				
5.				
6.				

I. Summary:

This bill changes the name of the “Division of Forestry”, within the Department of Agriculture and Consumer Services, to the “Florida Forest Service”.

This bill amends sections 121.0515, 125.27, 253.036, 258.501, 259.035, 259.036, 259.037, 259.101, 259.105, 259.10521, 260.0142, 261.03, 261.04, 261.06, 261.12, 317.0010, 317.0016, 373.591, 379.226, 403.7071, 479.16, 570.548, 570.549, 570.903, 581.1843, 589.01, 589.011, 589.012, 589.04, 589.06, 589.07, 589.071, 589.08, 589.081, 589.09, 589.10, 589.101, 589.11, 589.12, 589.13, 589.14, 589.18, 589.19, 589.20, 589.21, 589.26, 589.27, 589.275, 589.277, 589.28, 589.29, 589.30, 589.31, 589.32, 589.33, 589.34, 590.015, 590.02, 590.42, 591.17, 591.18, 591.19, 591.20, 591.24, 591.25, 633.115, 633.821, and 790.15 of the Florida Statutes.

II. Present Situation:

The Division of Forestry

Within the Department of Agriculture and Consumer Services exists the Division of Forestry whose mission is to protect and manage Florida’s forest resources.

Special Risk Membership

Section 121.0515, F.S. allows for more retirement credit to be awarded per year to “persons employed in certain categories of law enforcement, firefighting, criminal detention, and emergency medical care positions [who] are required as one of the essential functions of their positions to perform work that is physically demanding or arduous, or work that requires extraordinary agility and mental acuity, and...because of diminishing physical and mental faculties, may find that they are not able, without risk to the health and safety of themselves, the

public, or their coworkers, to continue performing such duties and thus enjoy the full career and retirement benefits enjoyed by persons employed in other positions.”¹ Presently, s. 121.0515(2), F.S., could be interpreted as requiring all of the criteria listed in s. 121.0515(2)(a)-(k), F.S., in order to qualify for “special risk membership” under s. 121.0515, F.S.

III. Effect of Proposed Changes:

Section 1 amends s. 121.0515, F. S., to:

- Rename the Division of Forestry as the “Florida Forest Service”
- Add the words “any of” to s. 121.0515(2) in order to clarify that any one of, and not all of, the requirements listed in s. 121.0515(2)(a)-(k), F.S., is required to qualify for special risk membership under s. 121.0515, F.S.
- Make conforming changes

Sections 2 – 68 amends ss. 125.27, 253.036, 258.501, 259.035, 259.036, 259.037, 259.101, 259.105, 259.10521, 260.0142, 261.03, 261.04, 261.06, 261.12, 317.0010, 317.0016, 373.591, 379.226, 403.7071, 479.16, 570.548, 570.549, 570.903, 581.1843, 589.01, 589.011, 589.012, 589.04, 589.06, 589.07, 589.071, 589.08, 589.081, 589.09, 589.10, 589.101, 589.11, 589.12, 589.13, 589.14, 589.18, 589.19, 589.20, 589.21, 589.26, 589.27, 589.275, 589.277, 589.28, 589.29, 589.30, 589.31, 589.32, 589.33, 589.34, 590.015, 590.02, 590.42, 591.17, 591.18, 591.19, 591.20, 591.24, 591.25, 633.115, 633.821, and 790.15, F.S., to:

- Rename the Division of Forestry as the “Florida Forest Service”
- Replace the term “division” with the term “agency”
- Make conforming changes.

Section 69 provides an effective date of July 1, 2011.

Other Potential Implications:

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹ s. 121.0515(1), F.S.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Department of Agriculture and Consumer Services has determined that this bill will have an associated non-recurring cost of \$6,600.00 related to the conversion of the state forest and work site signs and decals on the Division's vehicles. The signs and decals are routinely replaced and the conversion will occur over a three year time frame to minimize costs.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.