

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 7191 PCB ANRS 11-04 Forest Development
SPONSOR(S): Agriculture & Natural Resources Subcommittee, Crisafulli
TIED BILLS: None **IDEN./SIM. BILLS:** None

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Agriculture & Natural Resources Subcommittee	13 Y, 0 N	Cunningham	Blalock
1) State Affairs Committee	18 Y, 0 N	Cunningham	Hamby

SUMMARY ANALYSIS

Currently, Florida law¹ authorizes local governments and school districts to establish forest lands they own or to acquire new forest lands to:

- Encourage counties, cities, towns, and school districts to utilize their available lands for productive forest purposes;
- Encourage reduction of taxes by producing income from the use of such land;
- Encourage development by having desirable recreational features in forests; and
- Encourage forestry education by establishing permanent forests for use of vocational agriculture departments, schools, and Boy and Girl Scout troops.

Counties, cities, towns, or school districts desiring to create a community forest are required to appoint a forestry committee to make recommendations to the governing board (the county, city, town or school district) regarding the management of the forest. All management of the community forest must adhere to the direction of the Division of Forestry (Division) in accordance with the practice and principles of scientific forestry for the benefit of the entity.

According to the division, this program is no longer being implemented and similar coordinating provisions are included in chapters 589 and 253, F.S. In addition, local governments under their home rule authority can accomplish the provisions of chapter 591, F.S. Therefore, the bill is repealing the chapter of law pertaining to community forests.

This bill does not appear to have a fiscal impact on state or local governments.

¹ Chapter 591, F.S.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Chapter 591, F.S., authorizes local governments and school districts to establish forest lands they own or to acquire new forest lands.

Section 591.15, F.S., provides for the title "Florida Community Forest Law."

Section 591.16, F.S., provides that the purposes of this law are:

- To encourage counties, cities, towns, and school districts to utilize their available lands for productive forest purposes;
- To encourage reduction of taxes by producing income from use of such land;
- To encourage development by having desirable recreational features in forests; and
- To encourage forestry education by establishing permanent forests for use of vocational agriculture departments, schools, and Boy and Girl Scout troops.

Section 591.17, F.S., defines the terminology pertaining to chapter 591, F.S.

Section 591.18, F.S., empowers counties, cities, towns, or school districts to manage land available to the entity under the direction of the Division of Forestry (division) in accordance with the practice and principles of scientific forestry for the benefit of the entity.

Section 591.19, F.S., empowers counties, cities, towns, and school districts that have lands approved by the division, to transfer title of fee simple lands, not in other public use, to any county, city, town, or school district.

Section 591.20, F.S., requires counties, cities, towns, and school districts desiring to establish community forests, to appoint a forestry committee.

Section 591.21, F.S., provides that the duties of the forestry committee are:

- To advise the governing board in acquiring, developing, managing, making contracts, making agreements, issuing permits, potential hiring, rules, and regulations pertaining to the forest; and
- To ask for open competitive bids for any sale in excess of \$100 and to purchase from the lowest and best bidder and anything over \$500 should be advertised in one issue each of two consecutive weeks in a county newspaper of general circulation and the highest and best bid should be accepted.

Section 591.22, F.S., permits counties, cities, towns, or school districts that have appointed forestry committees to appropriate money from available funds to the committee. It also requires the committee to prepare a budget each year and to make recommendations to the governing board pertaining to the forest.

Section 591.23, F.S., requires revenues from the forest to be credited to the general fund of counties, cities, towns, or school districts or as required by agreements with youth organizations.

Section 591.24, F.S., requires the forestry committee to provide fiscal year reports to the governing board of counties, cities, towns, or school districts and audited by the regular auditor of such entity.

Section 591.25, F.S., requires that lands acquired under these provisions be protected from wildfire, maintained as a permanent public forest, and that the timber is managed with methods approved by the division.

Effect of Proposed Changes

According to the division, the community forest program is no longer being implemented, and similar coordinating provisions are included in chapters 589 and 253, F.S. In addition, local governments under their home rule authority can accomplish the provisions of chapter 591, F.S. Therefore, the bill is repealing the chapter 591, F.S., pertaining to community forests.

B. SECTION DIRECTORY:

Section 1: Repeals sections 591.15, 591.16, 591.17, 591.18, 591.19, 591.20, 591.21, 591.22, 591.23, 591.24, 591.25, and 591.26, F.S.

Section 2: Provides an effective date of July 1, 2001.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES