

AMENDED IN SENATE APRIL 2, 2009

**SENATE BILL**

**No. 451**

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**Introduced by Senator Cogdill**

February 26, 2009

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~~An act to amend Section 4790.5 of the Public Resources Code, relating to forest resources.~~ *An act to add Section 12405 to the Public Contract Code, relating to public contracts.*

LEGISLATIVE COUNSEL'S DIGEST

SB 451, as amended, Cogdill. ~~Forest resources.~~ *Public contracts: preferences: forest products.*

*Existing law generally requires state agencies to comply with competitive bidding procedures in soliciting and evaluating bids for public works projects. Existing law authorizes bidding preferences for certain categories of business owners, including businesses owned by military veterans.*

*Existing law also requires the Department of General Services, in consultation with the California Environmental Protection Agency, members of the public, industry, and public health and environmental organizations, to provide state agencies with information and assistance regarding environmentally preferable purchasing.*

*This bill would require any state agency that contracts for, or acquires, lumber or other solid wood products, excluding paper and other types of secondary manufactured goods, to give preference, if price, fitness, and quality are equal, to lumber and other solid wood products that are harvested from forests within this state.*

~~Existing law finds and declares that, except as specifically provided, the state is prohibited from claiming any right, title, or interest in land,~~

trees, or other vegetation which are the subject of a forest resource improvement project.

~~This bill would make technical, nonsubstantive changes to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. The Legislature finds and declares all of the*  
2     *following:*

3     *(a) It is a priority in California to protect the wildlife, rivers,*  
4     *streams, and soil that make up the state's rich forest ecosystems*  
5     *covering 40 percent of the state's entire land area.*

6     *(b) Forested lands in California do all of the following:*

7     *(1) Provide significant environmental benefits, including serving*  
8     *as the source of more than half the state's supply of drinking water*  
9     *and habitat for numerous wildlife and plant species, some of which*  
10    *are rare, threatened, or endangered.*

11    *(2) Serve as the source of extensive recreational opportunities*  
12    *for millions of Californians.*

13    *(3) Provide a signature landscape that identifies California to*  
14    *people worldwide.*

15    *(c) Forested lands in California also provide the source of raw*  
16    *materials for the timber products industry and a source of jobs*  
17    *for those who are employed in that industry. Forested lands in*  
18    *California are an essential economic resource in rural communities*  
19    *across the state.*

20    *(d) The economic pressures faced by the timber industry, caused*  
21    *in part by globalization and imported timber products, have*  
22    *resulted in financial losses to the California timber industry and*  
23    *private landowners.*

24    *(e) It is appropriate for the State of California to officially*  
25    *support the continued economic vitality of the California timber*  
26    *products industry by directing its agencies to purchase timber*  
27    *products harvested from California, when appropriate.*

28    *(f) A purchasing preference will contribute to stabilizing the*  
29    *prices of the California timber products industry.*

30    *(g) Laws and regulations governing forestry in California*  
31    *represent the commitment of the state to strive for the highest*

1 *environmental standards for industrial forestry anywhere in the*  
2 *world. The state may express its preference for timber products*  
3 *reflecting that commitment.*

4 *(h) Currently, approximately 70 percent of California’s timber*  
5 *products must be imported to meet the demand of the state’s*  
6 *population of 35 million people. California’s population is*  
7 *projected to increase to 49 million people by 2025, further*  
8 *intensifying our consumption of, and demand for, timber products*  
9 *from abroad.*

10 *(i) The import and export of goods, including timber products,*  
11 *are and will remain part of the state’s economy. The import and*  
12 *export of all goods have contributed to the diverse economic base*  
13 *of California.*

14 *(j) California’s demand for timber products could be seen to*  
15 *be contributing, in part, to the massive destruction of native forests*  
16 *and significant ecological losses in forestlands all across the world,*  
17 *including massive clearcuts and the loss of irreplaceable old*  
18 *growth in forests, including boreal and equatorial forests.*

19 *(k) When price, quality, and fitness are equal and when the*  
20 *marketplace provides timber products that are acceptable for use*  
21 *by state agencies, the State of California has a responsibility to*  
22 *purchase California grown forest products.*

23 *SEC. 2. Section 12405 is added to the Public Contract Code,*  
24 *to read:*

25 *12405. Consistent with all applicable provisions of this code,*  
26 *when price, fitness, and quality are equal, any state agency that*  
27 *contracts for, or acquires, lumber or other solid wood products,*  
28 *excluding paper and other types of secondary manufactured goods,*  
29 *shall, if price, fitness, and quality are equal, give preference to*  
30 *lumber and other solid wood products that are harvested from*  
31 *forests within this state.*

32 ~~SECTION 1. Section 4790.5 of the Public Resources Code is~~  
33 ~~amended to read:~~

34 ~~4790.5. The Legislature further declares that, except as~~  
35 ~~specifically provided in this chapter the state shall not claim a~~  
36 ~~right, title, or interest in the land, trees, or other vegetation that are~~  
37 ~~the subject of a forest resource improvement project undertaken~~  
38 ~~pursuant to this chapter. When carrying out this chapter, the~~  
39 ~~director shall encourage the use of goods and services available~~  
40 ~~through private forest nurseries, reforestation contractors, private~~

- 1 ~~forest consultants, or others in the business of undertaking forest~~
- 2 ~~resource improvement work.~~

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