

AMENDED IN SENATE APRIL 7, 2003

SENATE BILL

No. 557

Introduced by Senator Kuehl

February 20, 2003

An act to add Article 10 (commencing with Section 4629) to Chapter 8 of Part 2 of Division 4 of the Public Resources Code, relating to forest practices.

LEGISLATIVE COUNSEL'S DIGEST

SB 557, as amended, Kuehl. Forest practices: timber products user forest restoration.

Existing law provides for the regulation of forest practices.

This bill would establish a timber products user forest restoration fee on timber products sold for consumption in California, ~~as specified by increasing the state sales tax on specified timber products by 0.5 cent.~~ The bill would create the Timber Products User Forest Restoration Fund in the State Treasury. Moneys in the fund would be available for appropriation for, among other things, restoration of the environment and habitat related to the effects of timber harvesting, protection of forested watersheds, and assistance to timber industry workers.

This bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: 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) Forested lands in California provide significant
4 environmental benefits, including serving as the source of more
5 than half the state's supply of drinking water, habitat for numerous
6 wildlife and plant species, some of which are rare, threatened, or
7 endangered, the source of raw materials for the timber products
8 industry, and a source of jobs for those who are employed in that
9 industry.

10 (b) Regulation of timber harvesting practices, including timber
11 harvesting plans, nonindustrial timber management plans,
12 exemptions, and emergency notices has become increasingly
13 complex and expensive, even given the fact that some reviewing
14 agencies review less than 20 percent of the proposed timber
15 harvesting plans presented to them.

16 (c) The current budget crisis presents an opportunity to
17 reevaluate financing of the timber harvesting plan review process
18 that currently draws approximately twenty-one million dollars
19 (\$21,000,000) annually from the General Fund.

20 (d) It is appropriate to support the timber harvesting plan
21 review process through user fees.

22 (e) The economic pressures faced by the timber industry,
23 caused by globalization and imported timber products, is likely to
24 mean a protracted period of low prices that have already reduced
25 the margin of profitability of timber companies and the harvests
26 of private landowners in California.

27 (f) Under those conditions, it is inequitable to add twenty
28 million dollars (\$20,000,000) or more in timber harvesting plan
29 review costs to applicants, many of whom are individual
30 landowners. If the approximately twenty million *dollars*
31 (\$20,000,000) were evenly divided among the approximately
32 1,000 timber harvesting plans applied for annually, the increase in
33 review costs would be twenty thousand dollars (\$20,000) per
34 timber harvesting plan application, which is too onerous a burden.

35 (g) It is fair and equitable to require purchasers of timber
36 products to contribute to the public cost of reviewing timber
37 harvesting plan applications and further to contribute to the
38 watershed and habitat restoration that are vital public trust



1 resources that will also serve to rehabilitate California's
2 forestlands, as well as assist in the development of new and
3 creative techniques to protect those forestlands now and in the
4 future.

5 (h) It is also fair and equitable that purchasers of timber
6 products be directly linked to the restoration of the stability of the
7 lives of workers and working families whose lives have been
8 disrupted by economic fluctuations within the timber products
9 industry. Restoring jobs, retraining workers, and providing new
10 opportunities for workers are legitimate objectives for the use of
11 funds obtained by a user fee on timber products. It is fair and
12 equitable that purchasers of timber products recognize that a small
13 fraction of their timber product purchases will contribute to the
14 stability of the timber products industry for the benefit of the entire
15 state.

16 (i) The Legislature has concluded that a user fee on timber
17 products is an equitable way to fund watershed and wildlife
18 restoration projects and economic development projects that are
19 closely associated with timber harvesting activities in California.

20 ~~(j) As an alternative to a fee on landowners and industrial
21 timberland owners, a fee of one cent (\$0.01) per board foot of
22 lumber could generate approximately one hundred million dollars
23 (\$100,000,000) per year, based on data from the Department of
24 Forestry and Fire Protection.~~

25 ~~(k) According to the department, a typical new house uses
26 about 10,000 board feet of lumber, and thus the fee would amount
27 to about one hundred dollars (\$100) per new home, which is a
28 reasonable and low fee that will return significant environmental
29 and economic benefits to the state. According to the U.S. Bureau
30 of the Census and the National Association of Homebuilders,
31 lumber is less than 3 percent of the cost of a new home.~~

32 ~~(l)~~

33 *(j) As an alternative to a direct fee on landowners and
34 industrial timberland owners who apply for timber harvest plan
35 permits, a one-half cent (\$0.005) increase in the state sales tax on
36 timber products could generate sufficient funds to replace the
37 general fund outlay for timber harvest plan review, and generate
38 additional funds to help restore the forest practices industry in
39 California, mitigate the effects of historic logging practices on*



1 *watersheds and wildlife, and protect drinking water supplies for*
2 *millions of Californians.*

3 (k) Through cost-share programs, the user fee could fund
4 projects that do all of the following:

5 (1) Alleviate erosion and sedimentation problems caused by
6 road building activities on public and private timberlands, which
7 is the major source of impairment of ~~those rivers and streams~~ *rivers*
8 *and streams in those areas* and the major reason virtually all of the
9 rivers and streams on the North Coast are listed as impaired
10 pursuant to the Clean Water Act.

11 (2) Undertake the restoration of ~~wild~~ salmon and steelhead
12 streams that have been damaged by historical and present day
13 logging activities.

14 (3) Develop enhanced protections for forested watersheds that
15 provide drinking water to millions of Californians.

16 (4) Assist in the retraining of workers displaced by the
17 economic transformations within the timber industry and the
18 economic development activities of rural communities that have
19 been adversely affected by environmental and economic activities
20 of the timber industry.

21 ~~(m)~~

22 (l) Additionally, the user fee could do all of the following:

23 (1) Create financial incentives for landowners and timber
24 companies to harvest timber sustainably.

25 (2) Pay for conservation easements that would protect sensitive
26 watersheds, rivers, or streams.

27 (3) Help defray the costs to landowners of preparing
28 programmatic timber environmental reports that will ensure
29 adoption of environmentally sustainable logging activities.

30 (m) *It is the intent of the Legislature that the fee-based funding*
31 *of the review of timber harvest plans and the administrative*
32 *processes associated with those reviews will result in improved*
33 *environmental protections and in administrative improvements*
34 *that will benefit permit applicants.*

35 SEC. 2. Article 10 (commencing with Section 4629) is added
36 to Chapter 8 of Part 2 of Division 4 of the Public Resources Code,
37 to read:

38



~~Article 10.— Timber Products User Forest Restoration~~

Article 10. Timber Products User Forest Restoration Fund

4629. The following definitions apply to this article:

(a) “Board” means the State Board of Equalization.

(b) “Consumer” means a person who purchases for consumption timber products provided by a timber product supplier.

(c) “Consumption” means the purchase of a timber product by an end user. An end user includes a person who purchases a timber product for use in manufacturing, including the manufacturing of prefabricated rafters, walls, cabinets, or furniture. The term does not include the storage or use of timber products that will be resold without incorporation into a manufactured product.

(d) “Department” means the Department of Forestry and Fire Protection.

(e) “Director” means the Director of Forestry and Fire Protection.

(f) “Fee” means the timber products user forest restoration fee.

~~(e)~~

(g) “Fund” means the Timber Products User Forest Restoration Fund.

~~(f)~~

(h) “Person” means an individual, firm, partnership, joint venture, association, social club, cooperative organization, fraternal organization, corporation, limited liability company, limited liability partnership, estate, trust, business trust, receiver, trustee, syndicate, this state, any county, city, city and county, municipality, district, public agency, or subdivision of this state, or any other group or combination acting as a unit.

~~(g)~~

(i) “Timber product” means a wood product, and all similar products, described in subdivisions (a), (b), and (c) of Section 4629.3, unless specifically excluded from the application of the fee.

~~(h)~~

(j) “Timber product supplier” means a person that sells timber products to consumers.



1 4629.1. The Timber Products User Forest Restoration Fund is
2 hereby established in the State Treasury. Moneys in the fund may
3 be appropriated only for the uses set forth in this article.

4 4629.2. The State Board of Equalization shall collect a user
5 fee on all the timber products described in Section 4629.3 that are
6 sold for consumption in California and deposit in the fund all fees
7 that are collected. The board shall administer the fee imposed
8 ~~pursuant to this article in accordance with the Fee Collection~~
9 ~~Procedures Law (Part 30 (commencing with Section 55001) of~~
10 ~~Division 2 of the Revenue and Taxation Code).~~

11 ~~4629.3. The fee is imposed on the consumer at the time of the~~
12 ~~pursuant to this article in accordance with the collection~~
13 ~~procedures of the Sales and Use Tax Law (Chapter 6 (commencing~~
14 ~~with Section 6701) of Part 1 of Division 2 of the Revenue and~~
15 ~~Taxation Code). purchase of a timber product for consumption in~~
16 ~~this state. The fee shall be one cent (\$0.01) per board foot for~~
17 ~~products, and all similar products, listed in subdivision (a). The fee~~
18 ~~shall be one cent (\$0.01) per square foot for products, and all~~
19 ~~similar products, listed in subdivision (b). The fee shall be one cent~~
20 ~~(\$0.01) per linear foot for products, and all similar products, listed~~
21 ~~in subdivision (c). The fee shall be computed on the basis of~~
22 ~~standard terminology within the timber products industry to the~~
23 ~~maximum extent practicable. shall be a one-half cent (\$0.005)~~
24 ~~increase in the state sales tax imposed on lumber and related~~
25 ~~products listed in subdivisions (a), (b), and (c). A user fee on~~
26 ~~composite products manufactured from various wood and~~
27 ~~nonwood materials shall conform to the appropriate following~~
28 ~~subdivision that most closely applies to the product that is sold:~~

29 (a) Solid wood products including, but not limited to,
30 dimension lumber, posts and beams, boards, laminated beams,
31 edge glued materials, and timbers.

32 (b) Veneer-based and sheeting materials, including, but not
33 limited to, plywood, laminated veneer lumber (LVL),
34 parallel-laminated veneer (PLV), and composite materials such as
35 cellulosic fiberboard, hardboard, particleboard, waferboard,
36 flakeboard, oriented strandboard (OSB), and com-ply.

37 (c) Poles and pilings, including, but not limited to, posts and
38 similar products.

39 4629.4. (a) A timber product supplier shall collect the fee
40 from a consumer at the time it sells a timber product to the



1 consumer. The fee required to be collected by the timber product
2 supplier shall be added to and stated separately in its billing to the
3 consumer. The fee required to be collected by the timber product
4 supplier, and any amount unreturned to the consumer which is not
5 a fee, but was collected from the consumer as representing a fee,
6 constitute debts owed by the timber product supplier to the state.

7 (b) The timber product supplier shall collect the fee from a
8 consumer at the time of sale and may retain ~~_____~~ 3 percent of the
9 fee as reimbursement for any costs associated with the collection
10 of the fee. A timber product supplier shall remit the remainder to
11 the state on a quarterly schedule for deposit in the fund.

12 (c) A consumer in this state is liable for the fee until it has been
13 paid to the state, except that payment to a timber product supplier
14 that is registered with the board pursuant to Section 55021 of the
15 Revenue and Taxation Code is sufficient to relieve the user from
16 further liability.

17 (d) The fee is due and payable to the board monthly on or before
18 the 25th day of the calendar month following the ~~monthly~~
19 *quarterly* period for which the fee is due. A feepayer pursuant to
20 subdivision (b), on or before the 25th day of the month following
21 each ~~monthly~~ *quarterly* period, shall make out a return for the
22 preceding ~~monthly~~ *quarterly* period, in the form prescribed by the
23 board.

24 ~~(d)~~

25 (e) All fees imposed shall be paid in the form of remittances
26 payable to the State Board of Equalization. The board shall
27 transmit the payment to the fund *and reimburse its administrative*
28 *costs for collecting, auditing, and making refunds associated with*
29 *the fund, not to exceed 3 percent of the fund per fiscal year.*

30 4629.5. Money in the fund shall, when appropriated by the
31 Legislature, be spent solely for the following purposes:

32 (a) To pay for refunds pursuant to Part 30 (commencing with
33 Section 55001) of Division 2 of the Revenue and Taxation Code.

34 ~~(b) To pay administrative costs of the board for collecting,~~
35 ~~auditing, and making refunds associated with the fund, not to~~
36 ~~exceed 3 percent of the fund per fiscal year.~~

37 ~~(c) To assume in its entirety the existing General Fund~~

38 (b) *To assume, in its entirety, the existing General Fund*
39 *appropriations as they existed on December 31, 2002, for the*
40 *administration and review of all operations directly connected with*



1 *the review of timber harvest plans* of all departments, boards, and
2 commissions that review timber harvesting undertaken pursuant to
3 this chapter, or pursuant to any regulations of the department *or the*
4 *State Board of Forestry and Fire Protection*. The reviewing
5 boards, commissions, and departments are the department, the
6 Department of Fish and Game, the Department of Conservation,
7 the California Coastal Commission, and the regional water quality
8 control boards. This act may not affect the personnel practices of,
9 the status of any employees of, or the compensation or benefits of
10 any current or future employees of, any reviewing board,
11 commission, or department.

12 ~~(d)~~—

13 (c) To provide increases above the former General Fund
14 appropriations for the maintenance of existing operations of the
15 reviewing agencies described in subdivision ~~(e)~~ (b), and to provide
16 increases that result in programmatic improvements to the
17 operations of the reviewing agencies, or for any other appropriate
18 increases. *The reviewing agencies, after receiving approval*
19 *pursuant to their internal procedures, shall apply for increases*
20 *above the baseline established in subdivision (b) in a coordinated*
21 *fashion coincident with the annual budget process.*

22 ~~(e)~~—

23 (d) To provide necessary additional support to the reviewing
24 agencies described in subdivision ~~(e)~~ (b), in order to comply with
25 changes in statutory law passed by the Legislature and approved
26 by the Governor or to comply with regulations that are adopted by
27 any of the reviewing agencies.

28 ~~(f) Create~~

29 (e) *To create opportunities for cross-training among reviewing*
30 *agencies described in subdivision (b), in order to educate these*
31 *agencies about the responsibilities, perspectives, and analytical*
32 *issues faced by the other reviewing agencies.*

33 (f) *In conjunction with other appropriate state agencies, to*
34 *establish a worker retraining program and develop other*
35 *economic opportunities for timber workers who have been*
36 *displaced by changes in the industry, including downsizing,*
37 *consolidation, and the closing of mills in California.*

38 (g) *At the request of the State Board of Forestry and Fire*
39 *Protection, to hire professional policy staff for the State Board of*
40 *Forestry and Fire Protection.*



1 (h) To undertake a public education effort with forestland
2 owners that recommends future timber harvests be conducted
3 pursuant to a programmatic timber environmental impact report
4 (PTEIR) or pursuant to the sustainability standards of the Forest
5 Stewardship Council or another certification organization as
6 described in paragraph (6), and providing an incentive of half the
7 cost a PTEIR for landowners who voluntarily agree to develop a
8 PTEIR on or before January 1, 2005. The Secretary of the
9 Resources Agency shall first certify that the regulations
10 establishing the PTEIR process meet the requirements for a
11 certified regulatory program under Section 21080.5. In the event
12 that certification does not occur during the 2004 calendar year, the
13 incentive to landowners shall be extended one day for every day
14 after January 1, 2005, until the certification is completed and any
15 necessary changes, if any, to the PTEIR process that are
16 recommended by the Secretary of the Resources Agency are
17 implemented.

18 (i) To study other efforts to reduce regulatory costs to the state
19 and to forested landowners that are consistent with the principles
20 of the Forest Stewardship Council.

21 (j) To create within the department, a cost share program with
22 a minimum contribution of matching funds of 20 percent from any
23 project that is funded. Eligible applicants for funds include state
24 departments, boards and commissions, local governments and
25 special districts, and nonprofit organizations. Landowners and
26 other private entities are also eligible to apply. All applicants shall
27 demonstrate the capability to design, implement, and monitor the
28 projects funded pursuant to this section and to provide an
29 accounting for all funds received pursuant to this section. The
30 matching fund requirement does not apply to state departments,
31 boards and commissions, or local governments and special
32 districts. The director may waive the matching fund requirement
33 to accommodate applicants facing demonstrated economic
34 hardship. Funds may not be used to implement any mitigation
35 project required by the forest practices laws or regulations in effect
36 on January 1, 2004. By rule and regulation, the department may
37 determine the minimum contribution for all eligible projects.
38 Eligible projects include all of the following:

1 (1) Decommissioning roads on timberlands, so that the risk of
2 sedimentation into rivers and streams is minimized and
3 protections to wildlife and watersheds are enhanced.

4 (2) Maintaining roads through timberlands, including those
5 owned by public agencies, so that the risk of sedimentation into
6 rivers and streams is minimized and protections to wildlife and
7 watersheds are enhanced.

8 (3) Restoring wildlife habitat and providing watershed
9 restoration grants to ~~public agencies, watershed groups, and~~
10 ~~landowners who agree to undertake projects~~ that protect water
11 supplies, endangered and threatened species, or other
12 environmental benefits that are ~~undertaken~~ in compliance with the
13 state endangered species act and the California Environmental
14 Quality Act, if appropriate. *Funds associated with the*
15 *department's recommendations to restore wildlife habitat shall be*
16 *reallocated to existing programs within the Department of Fish*
17 *and Game. Funds associated with watershed restoration shall be*
18 *reallocated to existing programs within the State Water Resources*
19 *Control Board.*

20 ~~(4) Creating opportunities for cross-training among reviewing~~
21 ~~agencies described in subdivision (c) in order to educate these~~
22 ~~agencies about the responsibilities, perspectives, and analytical~~
23 ~~issues faced by the other reviewing agencies.~~

24 ~~(5)~~

25 (4) Expanding timber harvesting plan reviews by the reviewing
26 agencies described in subdivision ~~(c)~~ (b) and increasing
27 inspections of ongoing timber harvesting plans to ensure
28 compliance.

29 ~~(6)~~

30 (5) Purchasing fee title, conservation easements, or other
31 interests in land from willing sellers who agree, if less than fee title
32 is purchased, that future timber ~~harvesting~~ *harvest and forest*
33 *management* activities will be conducted in a sustainable ~~method~~
34 *manner as certified by* ~~by~~ *under the principles of the Forest*
35 *Stewardship Council or another certification organization that*
36 *considers the same parameters assessed by the Forest Stewardship*
37 *Council and that the Secretary of the Resources Agency finds is*
38 *equivalent to the Forest Stewardship Council guidelines in effect*
39 *on January 1, 2004.* The purchase of conservation easements or
40 fee title from willing sellers shall initially prioritize lands near



1 watercourses in order to minimize the future risk of sedimentation
2 into rivers and streams or to restore endangered species, especially
3 wild salmon and steelhead. *Any purchase of fee title to lands shall*
4 *also include sufficient funds to manage that land. Any purchase of*
5 *conservation easements shall also include sufficient funds to*
6 *enforce the easements. The department shall allocate funds for the*
7 *purchase of fee title or conservation easements to the Wildlife*
8 *Conservation Board and the Coastal Conservancy.*

9 ~~(7) In conjunction with other appropriate state agencies,~~
10 ~~establishing a worker retraining program and developing other~~
11 ~~economic opportunities for timber workers who have been~~
12 ~~displaced by changes in the industry, including downsizing,~~
13 ~~consolidation, and the closing of mills in California.~~

14 ~~(8) At the request of the State Board of Forestry and Fire~~
15 ~~Protection, hiring professional policy staff for the State Board of~~
16 ~~Forestry and Fire Protection.~~

17 ~~(9) Undertaking a public education effort with forestland~~
18 ~~owners that recommends future timber harvests be conducted~~
19 ~~pursuant to a programmatic timber environmental impact report~~
20 ~~(PTEIR) or pursuant to the sustainability standards of the Forest~~
21 ~~Stewardship Council, and providing an incentive of half the cost~~
22 ~~a PTEIR for landowners who voluntarily agree to develop a~~
23 ~~PTEIR on or before January 1, 2005. The Secretary of the~~
24 ~~Resources Agency shall first certify that the regulations~~
25 ~~establishing the PTEIR process meet the requirements for a~~
26 ~~certified regulatory program under Section 21080.5. In the event~~
27 ~~that certification does not occur during the 2004 calendar year, the~~
28 ~~incentive to landowners shall be extended one day for every day~~
29 ~~after January 1, 2005, until the certification is completed and any~~
30 ~~necessary changes, if any, to the PTEIR process that are~~
31 ~~recommended by the Secretary of the Resources Agency are~~
32 ~~implemented.~~

33 ~~(10) Studying other efforts to reduce regulatory costs to the~~
34 ~~state and to forested landowners that are consistent with the~~
35 ~~principles of the Forest Stewardship Council.~~

36 *(6) Assuming the funding for all aspects of the following*
37 *programs as they are implemented on timberland by the*
38 *departments currently responsible for their implementation:*

39 *(A) California Forest Legacy Program (Division 10.5*
40 *(commencing with Section 12200)).*



1 (B) *California Forestry Incentive Program.*

2 (C) *Salmon and Steelhead Trout Conservation and Restoration*
3 *Program administered by the Department of Fish and Game*
4 *pursuant to Section 6217.1.*

5 *The department may also apply to obtain funding to administer*
6 *the timberland and oak woodlands conversion program.*

7 (7) *Funding for fuel reduction efforts assigned by the director*
8 *to the California Conservation Corps, private contractors, or to*
9 *the conservation camps of the Department of Corrections. Priority*
10 *for fuel reduction projects shall be given to the urban-wildland*
11 *interface areas.*

12 (8) *Funding for a point-of-sale public education campaign at*
13 *tinber product retail facilities that explains the variety of forestry*
14 *management, watershed, and habitat restoration uses to which the*
15 *restoration funds may be spent.*

16 4629.6. After all appropriate expenditures under Section
17 4629.5 have been appropriated, any moneys remaining in the fund
18 may be used for any project eligible under subdivision ~~(f)~~ (j) of
19 Section 4629.5. The director may waive the requirement of
20 cost-share funds contained in subdivision ~~(f)~~ (j) of Section 4629.5
21 for projects of extraordinary importance that are consistent with
22 the purposes of this chapter *or where the applicant shows*
23 *significant economic hardship.* Any remaining moneys may also
24 be used for projects that fund public education activities,
25 including, but not limited to, grants for natural resource education,
26 natural resource research, watershed studies, botanical studies,
27 and wildlife surveys. The department, in conjunction with the
28 Secretary of the Resources Agency, shall develop protocols for
29 eligible projects and applications for these funds on or before
30 January 1, 2005, and the fund shall reimburse the agency and
31 department costs for developing the protocols. *Notwithstanding*
32 *any other provision of law, the department, in consultation with the*
33 *Department of Fish and Game, the State Water Resources Control*
34 *Board, and any other state department, county, special district, or*
35 *nonprofit organization with a demonstrated interest in forestry*
36 *policy that requests to participate, shall develop a draft*
37 *expenditure plan for the fund that prioritizes its recommendations*
38 *for a five-year period. On or before January 1, 2005, and every two*
39 *years thereafter, the department shall report to the Legislature on*
40 *its plan.*



1 4629.7. (a) The fund shall reimburse the ~~costs~~ *necessary and*
2 *reasonable travel costs and provide a per diem* to the department
3 and the State Board of Forestry and Fire Protection to create a
4 broad-based stakeholder group that shall do all of the following:

5 (1) Explore the suitable reuse and conversion of closed mills
6 and other timber industry facilities in California to productive
7 uses.

8 (2) Recommend ~~the most efficient way~~ *ways* to develop new
9 milling and processing capacity in California that ~~is certifiable by~~
10 ~~the~~ *may be chain-of-command certified under the principles and*
11 *criteria of the Forest Stewardship Council or another certification*
12 *organization, as defined in paragraph (5) of subdivision (j) of*
13 *Section 4629.5.*

14 (3) Make recommendations that will develop and maintain
15 more “value-added” timber processing and manufacturing
16 facilities in California to benefit the economic status of rural
17 communities and workers.

18 (4) *Report on the social, economic, or resources-based trends*
19 *and activities that affect the sustainability of the forest practices*
20 *industry and its dependent communities.*

21 (b) The stakeholder group *shall elect its own chair and shall be*
22 *comprised of an equal number no more than 18 individuals*
23 *consisting of representatives from the timber industry, including*
24 *labor organizations that have collective bargaining agreements*
25 *with the timber industry, an equal number of landowners and an*
26 *equal number of representatives of landowners, an equal number*
27 *of elected officials from city and county governments containing*
28 *timberland, and conservation groups with an expertise in*
29 *statewide or regional forestry policies. All relevant state and*
30 *federal agencies shall be invited to participate in this stakeholder*
31 *process as ex officio participants. The members shall be appointed*
32 *jointly by the State Board of Forestry and Fire Protection and the*
33 *director.*

34 (c) ~~The~~ *Notwithstanding any other provision of law, the initial*
35 *report of the stakeholder group shall be submitted to the Senate*
36 *Committee on Rules and the Speaker of the Assembly on January*
37 *1, 2005. A followup report shall be submitted two years later, at*
38 *which point the stakeholder group shall cease to exist unless it is*
39 *reauthorized by the Legislature.*



1 4629.8. Notwithstanding any other provision of law, on or
2 before January 1, 2005, and on or before January 1 every two years
3 thereafter, the department shall file a report with the Legislature
4 that documents all the receipts and expenditures associated with
5 the fund and includes any recommendations pertaining to the
6 expenditures of the fund.

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