

Regular Session, 2009

SENATE BILL NO. 271

BY SENATOR NEVERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FORESTRY. Creates the "Forestry Product Fairness Act." (gov sig)

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AN ACT

To enact Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4421 through 4424, relative to creation of the "Forestry Product Fairness Act"; to provide relative to distribution of tax credits, tax exemptions, tax exclusions or grants made available by the state to any existing individual, partnership, corporation, association or other legal entity purchasing forest product raw materials to produce the generation of steam, heat, electricity or the production of wood-based fuels; to provide for promulgation of rules and regulations; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part IX of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:4421 through 4424 is hereby enacted to read as follows:

**PART IX. FORESTRY PRODUCT FAIRNESS ACT**

**§4421. Short title**

**This Part shall be cited as the "Forestry Product Fairness Act."**

**§4422. Definitions**

**As used in this Part, the following terms shall have the meanings**

1 **ascribed below:**

2 **(1) "Commissioner" means the Louisiana commissioner of agriculture**  
3 **and forestry.**

4 **(2) "Forest products" include the following:**

5 **(a) Products that are derived from woody biomass.**

6 **(b) Forest wood waste, including residual tops and limbs of trees, unused**  
7 **cull trees, pre-commercial thinnings, and wood or debris from noncommercial**  
8 **tree species, slash or brush.**

9 **(c) Any wood chips or fibers or other organic substances and any**  
10 **inorganic substances recovered from forest wood waste or produced as**  
11 **byproducts of processing wood.**

12 **§4423. Distribution of incentives and funds**

13 **Any tax exemption, tax credit, tax exclusion or grant made available by**  
14 **the state to any individual, partnership, corporation, association or other legal**  
15 **entity purchasing forest product raw materials to produce the generation of**  
16 **steam, heat, electricity or the production of wood-based fuels shall be approved**  
17 **by the commissioner through a fair and equitable application process prior to**  
18 **being awarded. The application process shall be open to individuals and both**  
19 **new and existing partnerships, corporations, associations or other legal entities.**

20 **§4424. Rules and regulations**

21 **The commissioner shall promulgate rules and regulations for the**  
22 **administration and enforcement of this Part.**

23 Section 2. This Act shall become effective upon signature by the governor or, if not  
24 signed by the governor, upon expiration of the time for bills to become law without signature  
25 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
26 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
27 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Johnson.

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DIGEST

Proposed law creates the "Forestry Product Fairness Act."

Proposed law defines forest products as products that are derived from woody biomass; forest wood waste, including residual tops and limbs of trees, unused cull trees, pre-commercial thinnings, and wood or debris from noncommercial tree species, slash or brush; and any wood chips or fibers or other organic substances and any inorganic substances recovered from forest wood waste or produced as byproducts of processing wood.

Proposed law requires that any tax exemption, tax credit, tax exclusion or grant made available by the state to any individual, partnership, corporation, association or other legal entity purchasing forest product raw materials to produce the generation of steam, heat, electricity or the production of wood-based fuels be approved by the commissioner through a fair and equitable application process.

Proposed law requires that the application process be available to individuals and both new and existing partnerships, corporations, associations or other legal entities.

Proposed law requires the commissioner to promulgate rules and regulations.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 3:4421-4424)