

1 **“LUMBER PRODUCTS ASSESSMENT, 2013”**

2 **Title 14 of the California Code of Regulations (14 CCR):**
3 **Division 1.5, Chapter 14 – Lumber Products Assessment**

4
5 **ADOPT:**

6 **§ 1667.1. Authority.**

7 **§ 1667.2. Timber Regulation and Forest Restoration Fund.**

8 **§ 1667.3. Definitions.**

9 **§ 1667.4. Assessed Lumber Products.**

10 **§ 1667.5. Requests for Review.**

11 **§ 1667.6. Annual Update of Regulation.**

12
13 **§ 1667.1. Authority.**

14 This chapter sets out procedures for identifying those products subject to the
15 “Lumber Products Assessment” imposed pursuant to Public Resources Code Section
16 4629.5 as required by Chapter 289, Statutes 2012. The lumber products and
17 engineered wood products identified herein shall become subject to the Assessment
18 commencing January 1, 2013.

19
20 Note: Authority cited: Public Resources Code Section 4629.4. Reference: Public
21 Resources Code Sections 4629.3, 4629.4, 4629.5.

22
23 **§ 1667.2. Timber Regulation and Forest Restoration Fund.**

24 All revenues received from the Lumber Products Assessment, less amounts
25 deducted for refunds and reimbursements, shall be deposited in the “Timber Regulation

1 and Forest Restoration Fund” created in the State Treasury pursuant to Public
2 Resources Code Section 4629.3.

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4 Note: Authority and Reference cited: Public Resources Code Section 4629.3.

5
6 **§ 1667.3. Definitions.**

7
8 **Board** means the California Board of Forestry and Fire Protection.

9
10 **Engineered Wood Product** means wood composite products including inorganic-
11 bonded and wood thermoplastic composites. It includes a range of derivative wood
12 products which are manufactured by binding lumber or the strands, particles, fibers, or
13 veneers of wood, together with adhesives, to form composite materials, in which wood
14 is a principal component part as defined.

15
16 **Fund** means the Timber Regulation and Forest Restoration Fund.

17
18 **Lumber Product** means a product in which wood or wood fiber is a principal
19 component part, including, but not limited to, a solid wood product, or an engineered
20 wood product that is identified in these regulations. "Lumber Product" does not include
21 furniture, paper products, indoor flooring products such as hardwood or laminated
22 flooring, bark or cork products, firewood, or other products not typically regarded as
23 lumber products.

1 **Principal Component Part** means at least ten percent (10%) of the total content by
2 volume.

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4 Note: Authority and Reference cited: Public Resources Code Section 4629.3.

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6 **§ 1667.4. Assessed Lumber Products.**

7 **(a) Lumber products subject to the Lumber Products Assessment pursuant to Public**
8 **Resources Code Section 4629.5 include the following products in which wood or wood**
9 **fiber is a “principal component part” as defined:**

10 **(1) Solid wood products: All grades and dimensions of lumber, structural panels,**
11 **cross-laminated timbers, decking, railings, fencing (poles, solid board), poles, roofing**
12 **(shakes and wooden shingles), siding (beveled shingles, board and batten, log, tongue**
13 **and groove, treated wood), lath, and sub-flooring.**

14 **(2) Engineered Wood Products: plywood, oriented strandboard, particleboard,**
15 **fiberboard, glued-laminated timber, laminated veneer lumber, laminated strand lumber,**
16 **oriented strand lumber, parallel strand lumber, hardboard, waferboard, flakeboard,**
17 **veneer-based sheeting material, laminated beams, I-joists, and edge-glued material.**

18 **(3) Inorganic-bonded and wood thermoplastic composites: Gypsum-bonded**
19 **composite materials (fiber reinforced gypsum), cement-bonded composite materials,**
20 **ceramic bonded composite materials, and wood thermoplastic composite materials**
21 **including plastic lumber and decking.**

22
23 **(b) Products not subject to the Lumber Products Assessment include but are not limited**
24 **to, furniture, paper products, indoor finished flooring products such as hardwood (solid**
25 **or engineered) or laminate flooring, decorative products such as wainscoting, paneling,**

1 shutters, and blinds, bark or cork products, firewood, musical instruments, sporting
2 goods and equipment, carvings and craft products, cooperage and treatment materials
3 (including staves, storage vessels, and oak chips for wine, beer, and spirits), signs,
4 tools, tool handles, stakes, ladders, brooms, frames, kitchenware, windows, doors,
5 cabinets, molding, millwork (window casings, baseboards), lattice, pre-constructed
6 railing sections, trusses, pre-fabrication housing (pre-cut buildings, pre-cut or fabricated
7 components of buildings), and pre-constructed fencing sections.

8
9 (c) The number and types of lumber products subject to the lumber products
10 assessment may be modified following annual review by the Board of Forestry and Fire
11 Protection.

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13 Note: Authority cited: Public Resources Code Section 4629.4. Reference: Public
14 Resources Code Sections 4629.3 and 4629.5.

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16 **§ 1667.5. Requests for Review.**

17 (a) The California Board of Equalization may petition the Executive Officer of the Board
18 of Forestry and Fire Protection for review of a lumber product.

19 (1) The petition shall be sent to the Board's mailing address and shall include
20 information that provides the specific basis upon which the petition is founded. The
21 petition must provide the basis that a lumber product may or may not meet the criteria
22 established by Public Resources Code Section 4629.3 and specified herein.

23 (2) After receipt of a petition, the Board's Executive Officer may request
24 additional information from the California Board of Equalization prior to conducting the
25 review.

1 (3) The Board's Executive Officer shall complete the review of the petition within
2 thirty (30) days of its receipt or the receipt of additional information requested pursuant
3 to item (2) above. All petitions received in a calendar year shall additionally be subject
4 to review by the Board during its annual update of the regulations specified herein.

5 (4) Based on a review of the petition, the Board's Executive Officer shall
6 determine whether or not the lumber product that is the subject of the petition meets the
7 criteria specified herein. Upon a finding by the Board's Executive Officer that the lumber
8 product does not meet the criteria, the Executive Officer may recommend that the Board
9 remove the product from the assessed lumber products identified herein.

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11 Note: Authority and Reference cited: Public Resources Code Section 4629.3.

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13 **§ 1667.6. Annual Update of Regulation**

14 Pursuant to Public Resources Code Section 4629.4, the Board shall annually
15 update the regulations contained herein. The Board shall conduct the review at its
16 regularly scheduled April meeting. The lumber products identified in the annually
17 updated regulation adopted by the Board shall become subject to the assessment
18 imposed pursuant to Section 4629.5 on the first day of the calendar quarter
19 commencing more than sixty (60) days after adoption of the updated regulation.

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21 Note: Authority cited: Public Resources Code Section 4629.4. Reference: Public
22 Resources Code Section 4629.5.

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