

PRC 4629.4.

(a) On or before October 1, 2012, the board shall adopt a regulation that interprets and makes specific the lumber products and engineered wood products that the board determines shall be subject to the lumber products assessment imposed pursuant to Section 4629.5. **The board shall annually update the regulation.** The lumber products identified in the annually updated regulation that is adopted shall become subject to the assessment imposed pursuant to Section 4629.5 on the first day of the calendar quarter commencing more than 60 days after adoption of the updated regulation.

(b) The board shall adopt any regulations or emergency regulations necessary to implement the provisions of this article in accordance with the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of title 2 of the Government Code). The board may readopt any emergency regulation authorized by this section that is the same as or substantially equivalent to an emergency regulation previously adopted under this section. The initial adoption of emergency regulations and the one readoption of emergency regulations authorized by this subdivision shall be deemed an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. The initial emergency regulation and the one readoption of an emergency regulation authorized by this section shall be exempt from review by the Office of Administrative Law. The initial emergency regulation and the one readoption of an emergency regulations authorized by this section shall be submitted to the Office of Administrative Law for filing with the Secretary of State and each shall remain in effect for no more than 180 days, by which time final regulations may be adopted. The lumber products and engineered wood products identified in the regulation adopted shall become subject to the assessment imposed pursuant to Section 4629.5, commencing January 1, 2013.

(Added by Stats. 2012, Ch. 289, Sec. 3. (AB 1492) Effective September 11, 2012.)

14 CA Code of Regulations

§ 1667.5. Requests for Review.

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

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

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

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

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

California Lumber Products Assessment – Process

Note: Authority cited: Section 4629.4, Public Resources Code. Reference: Section 4629.3, Public Resources Code.

§ 1667.6. Annual Update of Regulation.

Pursuant to Public Resources Code Section 4629.4, the Board shall annually update the regulations contained herein. The Board shall conduct the review at its regularly scheduled April meeting. The

subject to the assessment imposed pursuant to Section 4629.5 on the first day of the calendar quarter commencing more than sixty (60) days after adoption of the updated regulation.

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