

1 **H. B. 3045**

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3 (By Delegate Boggs, Talbott, Crosier and Guthrie)  
4 [Introduced February 8, 2011; referred to the  
5 Committee on Natural Resources then the Judiciary.]  
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10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §19-1A-6, relating to  
12 establishing the Forest Product Fairness Act.

13 *Be it enacted by the Legislature of West Virginia:*

14 That the Code of West Virginia, 1931, as amended, be amended  
15 by adding thereto a new section, designated §19-1A-6, to read as  
16 follows:

17 **ARTICLE 1A. DIVISION OF FORESTRY.**

18 **§19-1A-6. Forest Product Fairness.**

19 (a) This section may be cited as the Forest Fairness Act.

20 (b) The agricultural policy of this state must recognize that  
21 forestry and the forest products industry have been and continue to  
22 be an integral part of the state's economic, historic, and cultural  
23 development. Forestry and the forest products industry:

24 (1) Directly and indirectly create tens of thousands of jobs

1 in all regions of the state in both primary agricultural and value-  
2 added processing, manufacturing, and distribution employment;

3 (2) Provide a significant tax base and source of revenue for  
4 state and local governments; and

5 (3) Preserve the forests through sustainable forestry  
6 practices and renewal of forest resources.

7 (c) In order to maintain and encourage a strong and  
8 competitive forest products industry and notwithstanding any  
9 provision in this code, no state incentive, subsidy, price support  
10 program, mandate, requirement, or target of any kind shall be  
11 established that has the direct or indirect effect of conferring an  
12 economic advantage to benefit a user or class of users of forest  
13 raw material, unless such economic advantage is conferred on an  
14 equal basis to all users or class or users of forest raw material.

15 (d) For purposes of this section, "forest raw material" means  
16 forest wood waste, including residual tops and limbs of trees, cull  
17 trees, thinning, wood or debris from noncommercial tree species,  
18 slash, brush, wood chips, merchantable and nonmerchantable timber,  
19 fibers, storm-generated debris from tree species, solid wood waste  
20 material, landscape or right-of-way trimmings, energy-dedicated  
21 wood crops consisting of fast-growing tree species, and products  
22 that are derived from woody biomass.

NOTE: The purpose of this bill is to establish the Forest

Product Fairness Act.

§19-1A-6 is new; therefore, it has been completely underscored.