

1 HB482
2 218717-1
3 By Representative Lovvorn
4 RFD: Ways and Means General Fund
5 First Read: 09-MAR-22

8 SYNOPSIS: Under existing law, the first 85 percent of
9 the proceeds from the gross receipts tax on public
10 utilities is allocated to the Special Mental Health
11 Fund and the remaining 15 percent is allocated to
12 the State General Fund.

13 This bill would provide that the first
14 \$25,000,000 of the 15 percent allocated to the
15 State General Fund would be allocated to the
16 Alabama Forestry Commission for the purpose of
17 making grants to the Forest Workforce Training
18 Institute for logger workforce training, and to
19 counties for the construction and maintenance of
20 public rural bridges, and to loggers for the
21 installation of onboard scales and other
22 technologies that promote transportation
23 efficiency.

24 This bill would also provide for exceptions
25 to weight restrictions for qualifying vehicles used
26 in forest commerce.

1 A BILL
2 TO BE ENTITLED
3 AN ACT
4

5 Relating to rural economic development; to establish
6 the Rural Logging Support Act of 2022; to amend Section
7 40-21-51, Code of Alabama 1975; to allocate a portion of the
8 gross receipts tax on public utilities to the Alabama Forestry
9 Commission for the purpose of making grants to the Forest
10 Workforce Training Institute for logging workforce training,
11 to counties for maintaining and constructing public rural
12 bridges, and to loggers for installing onboard scales and
13 other technologies that promote transportation efficiencies.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. This act shall be known and may be cited
16 as the Rural Logging Support Act of 2022.

17 Section 2. (a) The Legislature finds and declares
18 all of the following:

19 (1) The forest product manufacturing sector is a
20 large contributor to the state's economy.

21 (2) In order to have a successful forest product
22 manufacturing sector, it is imperative that the supply chain
23 for forest raw materials be as competitive and efficient as
24 possible.

25 (3) Logging companies are a vital link of the forest
26 supply chain system and it is critical for the state's economy
27 that these companies have every opportunity to be successful.

1 (b) Therefore, it is the intent of the Legislature
2 to do the following:

3 (1) Provide a stable funding source to address
4 maintenance and replacement of public rural bridges that may
5 not qualify for funding through traditional funding formulas
6 utilized by the state and counties to distribute revenues
7 generated by fuel taxes.

8 (2) Provide financial assistance for loggers to
9 utilize technologies that enhance operational efficiencies.

10 (3) Provide financial assistance for logging
11 workforce training.

12 Section 3. (a) As used in this section, the
13 following words and phrases shall have the following meanings:

14 (1) ONBOARD SCALE. A technological device installed
15 on a truck to determine the approximate loaded weight of the
16 truck. An onboard scale shall not be considered a portable
17 scale for purposes of Section 32-9-20, Code of Alabama 1975,
18 but may be used for purposes of enforcement.

19 (2) RURAL AREA. The term, as historically defined by
20 the United States Census Bureau, includes all areas that are
21 not located within an urban area.

22 (3) RURAL BRIDGE. A load restricted bridge located
23 in a rural area.

24 (4) URBAN AREA. The term, as historically defined by
25 the United States Census Bureau, includes areas that have a
26 population of 50,000 or more.

1 (b) The Alabama Forestry Commission shall do all of
2 the following:

3 (1) Adopt rules consistent with this section as
4 necessary.

5 (2) Distribute periodic grants to counties for the
6 maintenance, replacement, and construction of public rural
7 bridges.

8 (3) Distribute periodic grants, up to five percent
9 of the funds received pursuant to Section 40-21-51(2), Code of
10 Alabama 1975, for logging companies to install onboard scales
11 and other new technologies that promote logging transportation
12 efficiencies.

13 (4) Distribute five percent of the funds received
14 pursuant to Section 40-21-51(2), Code of Alabama 1975, to the
15 Forest Workforce Training Institute for logging workforce
16 training.

17 (5) Ensure that grants are provided in a manner that
18 does not discriminate based on gender, race, or disability
19 status of the applicant.

20 (c) The Alabama Forestry Commission may retain five
21 percent of the funds received pursuant to Section 40-21-51(2),
22 Code of Alabama 1975, to be used for administrative purposes.

23 (d) All applicants for grants from a logging company
24 shall be required to operate in Alabama.

25 Section 4. Section 40-21-51, Code of Alabama 1975,
26 is amended as follows:

27 "§40-21-51.

1 "All revenues collected under the provisions of
2 Section 40-21-50 shall, after deduction of the cost of
3 collection, be distributed in the following manner:

4 "(1) Eighty-five percent of the balance remaining
5 after deduction of the cost of collection shall be deposited
6 in the Special Mental Health Fund to be used for mental health
7 purposes; and

8 "(2) ~~Fifteen~~ Of the 15 percent of the balance
9 remaining after deduction of the cost of collection, up to
10 twenty-five million dollars (\$25,000,000) shall be distributed
11 to the Alabama Forestry Commission and the remainder shall be
12 deposited in the State General Fund."

13 Section 5. (a) As used in this section, the
14 following words and phrases shall have the following meanings:

15 (1) FOREST COMMERCE. The transportation, delivery,
16 and sale of forest product materials to a forest product
17 manufacturer.

18 (2) FOREST PRODUCT MANUFACTURER. A business or
19 entity that processes forest product materials for sale to
20 another party.

21 (3) FOREST PRODUCT MATERIALS. Logs, pulpwood, poles,
22 residual chips, inwoods pulpwood chips, fuel chips, and
23 stumpwood (tarwood).

24 (4) QUALIFYING VEHICLE. A truck tractor and trailer
25 that meets the following requirements:

26 a. Is either equipped with an onboard scale or has
27 been weighed by scales at the time of loading and has

1 documentation available to verify the approximate loaded
2 weight.

3 b. Is equipped with an occupant protection device,
4 commonly known as a cab guard, headache rack, cab rack, header
5 board, header rack, or front end structure, firmly mounted
6 between the cargo and the driver. The device is intended to
7 protect the driver from forward shifting loads by preventing
8 penetration or crushing of the driver's compartment. The
9 device may be mounted to the frame of the truck tractor or
10 trailer.

11 (b) Any qualifying vehicle transporting forest
12 product materials to a forest product manufacturer while
13 participating in forest commerce shall not be required to
14 conform to the axle requirements of Section 32-9-20(a)(4)a.,
15 Code of Alabama 1975, or the gross weight requirements of
16 Section 32-9-20, (a)(4)c., Code of Alabama 1975, provided that
17 the total gross weight does not exceed 84,000 pounds for a
18 five-axle configuration, and the weight on any one axle does
19 not exceed 22,000 pounds, and the weight on any one tandem
20 axle does not exceed 44,000 pounds.

21 (c) The provisions of Section 32-9-20(a)(4)d., Code
22 of Alabama 1975, setting forth a scale or enforcement
23 tolerance, apply to this subsection.

24 Section 6. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.