



Sectional Analysis

HB 87

“An Act relating to the sale of timber on state land; and providing for an effective date.”

Sectional Analysis: Prepared by Chris Maisch, Director of Forestry

Section 1 amends: AS 38.05.110 to clarify that the commissioner determines which of the applicable sale methods is in the best interest of the state for each timber sale.

Section 2 amends: AS 38.05.118 to clarify that negotiated timber sales under this section do not have to comply with the restrictions on negotiated sales in AS 38.05.115 and the timber sale procedures for competitive sales in AS 38.05.120, but they do have to comply with the requirements for Forest Land Use Plans (AS 38.05.112) and Five-year Schedules of Timber Sales (AS 38.05.113). This exempts sales under .118 from limits on size and duration up to 25 years, but ensures that large negotiated sales are developed with adequate notice to the industry and general public, and necessary site-specific design. This section also clarifies that DNR may negotiate sales to wood fiber users, including biomass energy producers, in addition to wood product manufacturers.

Section 3 repeals: AS 38.05.118(c) which restricted negotiated timber sales under .118 to areas with high unemployment, underutilized manufacturing capacity, and either an underutilized allowable cut, damaged trees, or land to be converted to nonforest use. This change enables DNR to negotiate timber sales in all areas of the state. All timber sales are still subject to the constitutional requirement for sustained yield management.

Section 4 adds: a new section to the uncodified state law clarifying that the negotiated timber sale provisions (Sections 1, 2, and 3) apply to sales that occur after the effective date of the bill. Section 5 establishes an immediate effective date for the negotiated timber sale provisions (Sections 1, 2, and 3).

