

LEGAL SERVICES

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MEMORANDUM

April 17, 2021

SUBJECT: Constitutional issues (HB 98; Work Order No. 32-GH1607\A.15)

TO: Representative Zack Fields

FROM: Claire E. Radford
Legislative Counsel



Attached is the draft amendment to HB 98 that you requested, which limits timber sales to companies headquartered in Alaska. Restricting timber sales to purchasers headquartered in the state likely raises constitutional concerns, including under the privileges and immunities clause and commerce clause of the federal constitution and under the equal protection clauses of the state and federal constitutions. Due to the time constraints for this amendment, I did not complete an in-depth analysis, but wanted to notify you of these potential issues. Please let me know if you require a more in-depth analysis.

CER:boo
21-089.boo

Attachment