

HOUSE BILL NO. 284

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HODGINS

Introduced: 5/10/97

Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to infestations and diseases of timber."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 41.17.082(d) is amended to read:

4 (d) The commissioner may undertake surveys and appraisals to obtain data on
5 regional insect infestations and disease conditions. Upon a determination that an area
6 is infested with forest insects or infected with diseases injurious to forest resources and
7 that the infestation or infection threatens the forest land or timber of adjacent owners,
8 the commissioner **shall** [MAY] establish the boundaries of an infestation or infection
9 zone. The commissioner **shall** [MAY] enter into an agreement with an owner or with
10 a governmental agency to control or suppress infestation or infection within the zone
11 **and to implement necessary salvage measures. When timber on state or**
12 **municipal forest land is (1) infested or diseased and thereby poses a significant**
13 **threat to surrounding healthy timber, or (2) subjected to an environmental**
14 **catastrophe and, as a result, is susceptible to infestation or disease, to prevent the**
15 **spread of infestation or disease, the timber shall be salvaged as rapidly as**

1 **practicable considering the available access to the timber and the marketability**
 2 **of the timber. If possible, salvage under this subsection should occur before there**
 3 **is a significant loss of merchantability of the timber.** Upon a determination by the
 4 commissioner that insect and disease control work within the zone is no longer
 5 necessary or feasible, the commissioner shall terminate the zone.

6 * **Sec. 2.** AS 41.17.082 is amended by adding a new subsection to read:

7 (e) The commissioner shall declare an emergency when 100 acres or more of
 8 timber is infested or diseased within the boundaries of an infestation or infection zone
 9 established under (d) of this section. Upon the declaration of an emergency, the
 10 commissioner may

11 (1) offer emergency and salvage sales under AS 38.05 of infested or
 12 diseased state timber or state timber that is threatened with infestation or disease;

13 (2) harvest infested or diseased state timber regardless of whether the
 14 proceeds from the harvested timber will provide a net return to the state;

15 (3) exempt salvage and emergency sales of less than 200 acres from
 16 the preparation of a plan of operations under AS 41.17.090;

17 (4) require reforestation of a greater degree, quantity, and type than
 18 otherwise required by this chapter for the reforestation of riparian areas; and

19 (5) waive a requirement of this chapter and regulations adopted under
 20 this chapter if the commissioner finds that the waiver will substantially contribute to
 21 controlling or eliminating the infestation or disease.