



LAWS OF ALASKA

2004

Source

SCS CSHB 196(RES) am S

Chapter No.

AN ACT

Relating to carbon sequestration; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to carbon sequestration; and providing for an effective date.

2

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 **LEGISLATIVE FINDINGS; INTENT.** The legislature finds that

6 (1) improved agricultural, forest, and soil management and conservation
7 practices and other methods of stewardship of soil and other land resources have great
8 potential to increase carbon sequestration on state and private lands; and

9 (2) it is in the interests of the state, private landowners, and the public in
10 general that the commissioner of natural resources investigate the potential for carbon
11 sequestration associated with agricultural, forestry, and soil management systems and land
12 uses occurring on state and private land in Alaska.

13 * **Sec. 2.** AS 44.37 is amended by adding new sections to read:

14 **Sec. 44.37.200. Carbon sequestration studies and recommendations.** (a)

15 The commissioner of natural resources, in consultation with the commissioner of

1 environmental conservation, shall conduct research, surveys, and appropriate studies
2 relating to carbon sequestration.

3 (b) The commissioner of natural resources, in consultation with the
4 commissioner of environmental conservation, shall

5 (1) prepare the reports required by AS 44.37.200 - 44.37.220 and
6 conduct the assessment described in AS 44.37.210;

7 (2) recommend policies or programs to enhance the ability of the state
8 to participate in systems of carbon trading; the recommendations may include
9 potential policies or programs designed to optimize economic benefits to private
10 landowners participating in carbon transactions; the policies or programs may include
11 identifying existing nonprofit organizations or other public or private entities or the
12 potential of creating nonprofit organizations or other public or private entities capable
13 of serving as assemblers of carbon credits or as intermediaries on behalf of producers
14 in carbon-trading systems;

15 (3) encourage the production of educational and advisory materials
16 regarding carbon sequestration on state and private land and participation in systems
17 of carbon emissions trading;

18 (4) identify and recommend areas of research needed to better
19 understand and quantify the process of carbon sequestration; and

20 (5) review the carbon sequestration programs and policies of other
21 states.

22 **Sec. 44.37.210. Assessment by the commissioner.** (a) In consultation with
23 the commissioner of environmental conservation, the commissioner shall make efforts
24 to assess state and private land in the state for past carbon sequestration and future
25 carbon sequestration potential. The assessment shall seek to quantify carbon
26 sequestration associated with agricultural, forest, soil, and land management systems
27 in this state. From time to time, the commissioner may update the findings as
28 advancements in understanding of the processes of carbon sequestration and new data
29 become available.

30 (b) The assessment described in this section shall be conducted in a manner
31 that provides a means for the state and owners of private land to estimate past and

1 future net carbon sequestration resulting from agricultural and forestry practices,
2 conservation measures, management systems, and land uses.

3 **Sec. 44.37.220. Definitions.** In AS 44.37.200 - 44.37.220,

4 (1) "carbon sequestration" means the long-term storage of carbon in
5 forests, soils, the ocean, and other carbon sinks;

6 (2) "commissioner" means the commissioner of natural resources.

7 * **Sec. 3.** AS 44.37.200, 44.37.210, and 44.37.220 are repealed June 30, 2009.

8 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 **REPORT TO THE LEGISLATURE.** Within one year after the effective date of this
11 section, the commissioner of natural resources, in consultation with the commissioner of
12 environmental conservation, shall prepare and submit a report to the legislature regarding
13 carbon sequestration. The report may include a discussion of

14 (1) agricultural, forest, and soil management systems or land uses that increase
15 stored soil carbon;

16 (2) methods for measuring and modeling net carbon sequestration associated
17 with various agricultural, forestry, and soil practices, management systems, or land uses
18 occurring on state and private land;

19 (3) areas of scientific uncertainty with respect to quantifying and
20 understanding carbon sequestration associated with soil and forest management activities;

21 (4) recommendations developed under AS 44.37.200;

22 (5) the assessment as described in AS 44.37.210.

23 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 **DIRECTION TO SEEK FUNDING SOURCES.** (a) The Department of Natural
26 Resources shall seek and apply for funding of the activities that would be authorized by secs.
27 2 and 4 of this Act by contacting the United States Department of Energy and other
28 appropriate federal and private sources.

29 (b) The Department of Natural Resources shall notify the revisor of statutes of the day
30 on which the department receives approval for funding under (a) of this section that is
31 sufficient to cover the costs of the activities that would be authorized by secs. 2 and 4 of this

1 Act.

2 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 CONDITIONAL EFFECT OF SECTIONS 2, 3, AND 4 OF THIS ACT. Sections 2,
5 3, and 4 of this Act take effect only if the Department of Natural Resources receives the
6 approval for funding described in sec. 5(b) of this Act.

7 * **Sec. 7.** If, under sec. 6 of this Act, secs. 2, 3, and 4 of this Act take effect, they take effect
8 on the date that the Department of Natural Resources receives the approval for funding under
9 sec. 5(b) of this Act but not later than the date set out in sec. 3 of this Act on which
10 AS 44.37.200, 44.37.210, and 44.37.220 are repealed.

11 * **Sec. 8.** Sections 1, 5, and 6 of this Act take effect immediately under AS 01.10.070(c).