

HOUSE BILL NO. 370

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES KELLY, Guttenberg

Introduced: 2/19/08
Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to forested land management and protection from wildland fire and**
2 **other destructive agents; changing the term 'forest fire' to 'wildland fire' where it**
3 **appears in the Alaska Statutes; and providing for an effective date."**

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

5 *** Section 1.** AS 19.40.010(a) is amended to read:

6 (a) The legislature finds and declares that there is an immediate need for a
7 public highway from the Yukon River to the Arctic Ocean and that this public
8 highway should be constructed by the State of Alaska at this time because

9 (1) it will assist in the fulfillment of art. VIII, Sec. 1, Constitution of
10 the State of Alaska, in which it is provided that it is the policy of the state to encourage
11 the settlement of its land and the development of its resources by making them
12 available for maximum use consistent with the public interest;

13 (2) it will provide the first year-round, overland route from north of the
14 Yukon River to the Arctic Ocean, and will consequently result in the completion of a

1 highway from the Pacific Ocean to the Arctic Ocean;

2 (3) it is in conformity with the policy of 23 U.S.C. 101(b) (Federal-Aid
3 Highway Act of 1956), in which it is declared to be in the national interest to
4 accelerate the construction of certain highways which are of primary importance to the
5 national defense;

6 (4) it will benefit local and interstate commerce because the area north
7 of the Yukon River is rich in natural resources but is inaccessible at the present time
8 because of the lack of roads and this inaccessibility prohibits the successful use of the
9 natural resources of this area;

10 (5) it is consonant with art. VIII, Sec. 2, Constitution of the State of
11 Alaska, in which it is provided that the legislature shall provide for the utilization,
12 development, and conservation of all natural resources belonging to the state,
13 including land and water, for the maximum benefit of its people, because the highway
14 will benefit not only local and interstate commerce but will also augment the revenue
15 of the state and result in conservation of natural resources, for example, by facilitating
16 a system of wildland [FOREST] fire suppression.

17 * **Sec. 2.** AS 33.30.191(g) is amended to read:

18 (g) In this section, "productively employed" includes the following kinds of
19 employment:

20 (1) routine maintenance and support services essential to the operation
21 of a correctional facility;

22 (2) education, including both academic and vocational;

23 (3) public conservation projects, including wildland [FOREST] fire
24 prevention and control, forest and watershed enhancement, recreational area
25 development, construction and maintenance of trails and campsites, fish and game
26 enhancement, soil conservation, and forest watershed revegetation;

27 (4) renovation, repair, or alteration of existing correctional facilities as
28 permitted by law; and

29 (5) other work performed inside or outside of a correctional facility
30 under (b) of this section.

31 * **Sec. 3.** AS 41.15.010 is amended to read:

1 **Sec. 41.15.010. Intent.** It is the intent of AS 41.15.010 - 41.15.170 to provide
 2 protection **from wildland fire and other destructive agents**, commensurate with the
 3 **values** [VALUE OF THE RESOURCES] at risk, [FOR THE NATURAL
 4 RESOURCES AND WATERSHEDS] on land that is owned privately, by the state, or
 5 by a municipality.

6 * **Sec. 4.** AS 41.15.040 is amended to read:

7 **Sec. 41.15.040. Right of entry to control and suppress fires.** Upon approval
 8 by the commissioner or an authorized agent, **an employee** [EMPLOYEES] of the
 9 division of lands, or of any organization authorized to prevent, control, or suppress **a**
 10 **fire** [FIRES] or **a** destructive **agent** [AGENTS], and others assisting in the control or
 11 suppression of **a fire** [FIRES] upon request of an officer or employee of the United
 12 States or the state may at any time enter upon any land, whether publicly or privately
 13 owned, for the purpose of preventing, suppressing, or controlling **a wildland fire**
 14 [FOREST FIRES] and **a** destructive **agent** [AGENTS].

15 * **Sec. 5.** AS 41.15.170 is amended to read:

16 **Sec. 41.15.170. Definitions.** In AS 41.15.010 - 41.15.170,

17 (1) "damages" includes costs incurred in suppressing, controlling, or
 18 extinguishing a fire;

19 (2) "forested land" includes all land on which grass, brush, timber, and
 20 other natural vegetative material grows;

21 (3) "**wildland** [FOREST] fire" includes the uncontrolled burning of
 22 grass, brush, timber, and other natural vegetative material.

23 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).