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Referred: Resources and
Finance

BY GARDINER, ELIASON AND
FREEMAN

1 IN THE HOUSE

2 HOUSE BILL NO. 40

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating a division of forestry within the
7 Department of Natural Resources; and providing for an
8 effective date."

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

10 * Section 1. AS 44.37 is amended by adding a new section to read:

11 ARTICLE 4. DIVISION OF FORESTRY.

12 Sec. 44.37.200. DIVISION OF FORESTRY. There is created in the
13 Department of Natural Resources the division of forestry.

14 * Sec. 2. AS 38.05 is amended by adding new sections to read:

15 Sec. 38.05.041. DIVISION OF FORESTRY. The division of forestry
16 shall perform all duties and functions relating to management of the
17 state forests which were performed by the division of lands before the
18 effective date of this Act, including but not limited to

19 (1) the disposal of timber and materials under secs. 110 -120
20 of this chapter;

21 (2) the state program for the protection of forested land
22 under AS 41.15;

23 (3) the dissemination of public information regarding forest
24 practices and timber management;

25 (4) the adoption of regulations in accordance with the Admin-
26 istrative Procedure Act (AS 44.62) necessary to implement secs. 41 - 43
27 of this chapter;

28 (5) a system of regular inspection of timber sales by state
29 foresters;

1 (6) the establishment of sound forest practices necessary to
2 ensure the continuous growing and harvesting of commercial forest tree
3 species and the protection of the soil, air, fish and wildlife, and
4 water resources;

5 (7) administering AS 45.50.210 - 45.50.325 relating to log
6 brands;

7 (8) the maintenance of necessary records and files regarding
8 timber management;

9 (9) the selection and employment of personnel which the di-
10 rector considers necessary for the proper operations of the division;

11 (10) coordination and cooperation with federal agencies in
12 the development of national forest management plans;

13 (11) cooperation with the Joint Federal-State Land Use Plan-
14 ning Commission;

15 (12) performance of administrative duties and functions, dele-
16 gation of duties, and execution of the administrative powers similar to
17 other divisions within state departments.

18 Sec. 38.05.043. TIMBER OPERATION OR FOREST PRACTICES REGULATIONS.
19 Regulations that provide guidelines for the conduct of timber operations
20 shall be used as standards by persons harvesting timber resources and
21 shall include, but not be limited to, measures for fire prevention and
22 control, soil erosion control, water quality and watershed control,
23 flood control, stocking, protection against timber operations which un-
24 necessarily destroy young timber growth or timber productivity of the
25 soil, prevention and control of damage by forest insects, pests and
26 disease. In developing these regulations, the division shall solicit
27 and consider recommendations from

28 (1) the Department of Fish and Game, relating to the protec-
29 tion of fish and wildlife;

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(2) the Department of Environmental Conservation, relating to air and water quality and waste disposal;

(3) the division of policy development and planning, relating to land use planning; and

(4) other public and private interested sources, including representatives of the forest products industry and timber owners and operators.

* Sec. 3. Regulations, rules, orders or other Acts in effect with respect to forest management and practices covered under this Act shall continue in full force and effect until amended, repealed, modified or rescinded as the director of the division of forestry determines in accordance with law. Existing contracts made by a department, division or agency transferred to and under the jurisdiction of the division of forestry under this Act shall continue in full force and effect until amended, repealed, modified or rescinded as the director of the division of forestry determines in accordance with law.

* Sec. 4. This Act takes effect July 1, 1977.

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