

Introduced: 1/18/83
Referred: Resources and
Finance

1 IN THE SENATE

BY ZIEGLER

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SENATE BILL NO. 14

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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THIRTEENTH LEGISLATURE - FIRST SESSION

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A BILL

6 For an Act entitled: "An Act establishing state forests."

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

8 * Section 1. AS 41.15 is amended by adding new sections to read:

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ARTICLE 3B. STATE FORESTS.

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Sec. 41.15.550. STATE FORESTS GENERALLY. The purpose of AS 41.-

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15.550 - 41.15.560 is to establish designated state-owned or acquired

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land and water areas as state forests. The primary purposes in the

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establishment of state forests are the perpetuation of land, water,

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scenic, and recreational resources to ensure a variety of personal,

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commercial, and other beneficial uses through multiple-use management.

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Sec. 41.15.560. MULTIPLE-USE MANAGEMENT. (a) Land within a

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state forest or within a unit of a state forest shall be managed under

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the principles of multiple use and sustained yield, under AS 41.17,

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and under a management plan prepared by the Department of Natural

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Resources. The management plan may not be adopted or revised without

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prior review by the Board of Forestry and public hearings held in a

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municipality or a Native village proximately located to the state

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forest or a unit of the state forest. The management plan shall be

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adopted and implemented within two years of the completion of a cur-

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rent operational level inventory and fire management plan following

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the establishment of a state forest. The department shall periodical-

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ly review and revise the management plans.

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(b) A copy of a management plan and any revision to it prepared

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by the department, reviewed by the Board of Forestry, and adopted by

1 the department after public hearings required under (a) of this sec-
2 tion shall be provided to the legislature within 30 days of its adop-
3 tion or revision or within the first 10 days of the first session of
4 the legislature to convene after its adoption or revision.

5 (c) The following uses are permitted and must be considered
6 under a management plan adopted under (a) of this section:

7 (1) commercial timber harvest including activities associa-
8 ted with timber harvest;

9 (2) harvest of forest products for personal use;

10 (3) mining and mining claim location;

11 (4) mineral leasing;

12 (5) material extraction;

13 (6) recreation;

14 (7) wildlife and fisheries habitat management;

15 (8) greenbelts;

16 (9) trapping;

17 (10) hunting;

18 (11) grazing;

19 (12) agriculture;

20 (13) fishing;

21 (14) watershed management;

22 (15) other traditional compatible uses.

23 (d) The control of highway access and roadside structures within
24 a state forest is the responsibility of the commissioner except that
25 the Department of Transportation and Public Facilities is responsible
26 for the repair and maintenance of public roads in a state forest.

27 (e) The state land and water within a state forest are closed to
28 sale under state land disposal laws. The commissioner may lease land
29 in a state forest under AS 38.05.070 - 38.05.105 for a purpose

1 consistent with AS 41.15.550 - 41.15.560 and a municipality may select
2 land in the state forest under AS 29.18.020 - 29.18.213.

3 (f) The Department of Natural Resources shall consult with the
4 Department of Fish and Game and the governing bodies of each munici-
5 pality in the general area during preparation of a management plan
6 under (a) of this section and during formulation of regulations gov-
7 erning the use of a state forest. The Department of Fish and Game
8 shall consult with the Department of Natural Resources and local fish
9 and game advisory committees before adopting regulations governing
10 fish and wildlife management in a state forest. Regulations may not
11 be adopted by either department without prior review at a public
12 hearing held in a municipality or a Native village within or proxi-
13 mately located to a state forest.

14 (g) The department may enter into cooperative management agree-
15 ments with a person who holds title to or has a valid entry on land
16 within the boundaries of a state forest or adjoining the boundaries of
17 a state forest.

18 (h) Private land, University of Alaska grant land, existing
19 transportation corridors, and municipal selections within a state
20 forest are excluded from the state forest. The commissioner may not
21 acquire private land or University of Alaska grant land located within
22 a state forest by eminent domain for any purpose.

23 (i) Approved or pending Native allotment applications located
24 partially or completely within a state forest are not adversely af-
25 fected by the establishment of the state forest and all approved
26 allotments and all pending allotments shall be treated as private
27 land.

28 (j) The establishment of a state forest has no effect on the
29 terms and conditions of an existing permit or contract involving use

1 of the land, water, or other resources of the state forest.

2 (k) Land lying within a state forest upon which there are valid
3 entries, or which is withdrawn for or selected by Native village or
4 regional corporations under secs. 11, 12, and 14 of the Alaska Native
5 Claims Settlement Act (P.L. 92-203; 85 Stat. 688; 43 U.S.C. 1601 et
6 seq.), is excepted from the state forest. If any land excepted under
7 this subsection is subsequently relinquished to the state, it shall be
8 included as part of the state forest.

9 Sec. 41.15.565. DEFINITIONS. In AS 41.15.550 - 41.15.560

10 (1) "Board of Forestry" means the board established by
11 AS 41.17.040;

12 (2) "commissioner" means the commissioner of natural re-
13 sources;

14 (3) "department" means the Department of Natural Resources.

15 * Sec. 2. AS 41.17.020(c) is amended to read:

16 (c) Planning [AFTER PLANNING] and classification procedures
17 under AS 38.05 shall be completed within five years after the effec-
18 tive date of this Act, at which time [HAVE BEEN COMPLETED,] the gover-
19 nor shall [MAY] propose to the legislature, state forests, to consist
20 of forest land determined by the governor [HIM] to be desirable for
21 retention in state ownership as multiple-use land.