



LAWS OF ALASKA

1979

Source

SB 164 am

Chapter No.

25

AN ACT

Relating to nonprofit electric or telephone cooperatives.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: April 24, 1979
Actual Effective Date: July 23, 1979 .

AN ACT

Relating to nonprofit electric or telephone cooperatives.

* Section 1. AS 38.05.330 is amended to read:

Sec. 38.05.330. PERMITS. (a) The director, without the prior approval of the commissioner, may issue permits, rights-of-way or easements on state land for roads, trails, ditches, field gathering lines or transmission and distribution pipelines not subject to AS 38.35, telephone or electric [AND] transmission and distribution lines, log storage, oil well drilling sites and production facilities for the purposes of recovering minerals from adjacent lands under valid lease, and other similar uses or improvements, or for the limited personal use of timber or materials. The commissioner, upon recommendation of the director, shall establish a reasonable rate or fee schedule to be charged for these uses, subject to the exception for nonprofit cooperative associations specified in (b) of this section. In the granting, suspension or revocation of a permit or easement of lands, the director shall give preference to that use of the land which will be of greatest economic benefit to the state and the development of its resources. However, first preference shall be granted to the upland owner for the use of a tract of tideland, or tideland and contiguous submerged land, which is seaward of the upland property of the upland owner and which is needed by the upland owner for any of the purposes for which the use may be granted.

Chapter 25

1 * Sec. 2. AS 38.05.330 is amended by adding a new subsection to read:

2 (b) The fee charged for a right-of-way approved under (a) of this
3 section shall be waived by the commissioner if the right-of-way is for a
4 transmission or distribution line established by a nonprofit cooperative
5 association organized under AS 10.25 for the purpose of supplying
6 electric energy and power, or telephone service, to its members, and the
7 waiver is considered by the commissioner to be in the best interests of
8 the state.