

1 IN THE SENATE

BY SENATOR PERATROVICH

2 SENATE BILL NO. 42

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the scaling and grading  
7 of log rafts."

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

9 \* Section 1. AS 45.45 is amended by adding new sections to  
10 read:

11 ARTICLE 4. SCALING AND GRADING OF LOG RAFTS

12 Sec. 45.45.130. REPORT AND PROTEST OF SCALING AND  
13 GRADING. (a) If the price of a raft of logs is determined  
14 by scaling and grading which is performed at the business  
15 location of the buyer of the raft, the buyer shall send a  
16 copy of the scaling and grading report for the raft to the  
17 seller by certified mail, return receipt requested.

18 (b) The seller of the raft may make written protest  
19 of the scaling or grading of the raft to the buyer. To be  
20 effective, a protest must be received by the buyer within  
21 15 days after the date of receipt of the scaling and grading  
22 report by the seller.

23 Sec. 45.45.140. ACTION UPON PROTEST OF REPORT. (a)  
24 If the seller protests a scaling or grading report as pro-  
25 vided in sec. 130(b) of this chapter, the logs shall be re-  
26 scaled or re-graded within 15 days after receipt of the  
27 protest.

28 (b) If the seller so requests, the logs shall be re-  
29 scaled or re-graded in his presence or in the presence of

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his agent.

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Sec. 45.45.150. PAYMENT FOR RE-SCALING OR RE-GRADING.

(a) The seller shall pay the fee and necessary expenses for the re-scaling or re-grading of the logs unless

(1) the re-scaling shows a measurement error in the scaling report of five per cent or more in favor of the seller; or

(2) the re-grading shows an error in the grading report of five per cent or more in favor of the seller in any grade category; or

(3) the re-grading shows an error in the grading report of five per cent or more in favor of the seller in the percentage of culls in the raft.

(b) If the re-scaling or re-grading shows an error in excess of the percentage limitation contained in (a)(1), (2) or (3) of this section, the buyer shall pay the fee and necessary expenses for the re-scaling or re-grading of the logs.

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Sec. 45.45.160. RETENTION OF THE LOGS. The buyer shall not use or process any of the logs from a raft during the period before, or 15 days after, the date of receipt by the seller of the scaling and grading report. If the seller protests the scaling and grading report within that 15-day period, the buyer shall not use or process any of the logs from the raft until the re-scaling or re-grading is performed.

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Sec. 45.45.170. PENALTY. A buyer who uses or processes logs in violation of sec. 160 of this chapter is guilty of a misdemeanor and upon conviction is punishable by a fine of

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not less than \$2,000. ✓

Sec. 45.45.180. APPLICATION. Secs. 130(b) - 170 of this chapter apply to all sales of rafted logs in this state which come within sec. 130(a) of this chapter unless the parties to a sale mutually agree that these sections shall not apply to that sale.