

Original Sponsor: Senator
Peratrovich

Introduced: 3/3/65
Referred: Rules

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 CS FOR 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 logs."

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. REQUEST TO SUSPEND USE OR PROCESSING OF
13 LOG RAFTS. (a) A buyer of a raft of logs shall not use or
14 process any logs from such raft, except as provided in sec.
15 140 of this chapter, if the seller of the raft requests the
16 buyer not to use or process the logs before the seller
17 receives the scaling and grading report for the raft.

18 (b) A request made under (a) of this section is not
19 effective unless

20 (1) the seller makes the request in writing;

21 (2) the request is postmarked before the date on
22 which the raft reaches the area where it will be broken and
23 scaled by the buyer.

24 Sec. 45.45.140. ACTION UPON REQUEST. (a) If a request
25 is made by the seller of the raft under sec. 130 of this
26 chapter, the buyer shall not use or process any log from the
27 raft for a period of 15 days after the date on which the
28 scaling and grading report is mailed to the seller.

29 (b) If the seller does not reply to the buyer within

1 15 days after the date on which the scaling and grading
2 report is mailed to the seller, or if within that 15-day
3 period the seller notifies the buyer that he is satisfied
4 with the contents of the report, the buyer may proceed to use
5 or process the logs in the raft.

6 (c) If within 15 days after the date on which the
7 scaling and grading report is mailed to the seller, the
8 seller protests the scaling or grading report, the logs shall
9 be re-scaled or re-graded within 15 days after receipt of
10 the protest.

11 (d) If requested by either party, the re-scaling or re-
12 grading shall be performed by an independent scaler in the
13 presence of the buyer or seller or their agents; however,
14 such observers shall not be allowed to go aboard the raft of
15 logs to be re-scaled or re-graded, nor in any manner inter-
16 fere with the re-scaling or re-grading operation.

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

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

20 (1) the re-scaling shows a measurement error in
21 the scaling report of five per cent or more of the total raft
22 scaled volume or value in favor of the seller; or

23 (2) the re-grading shows an error in the grading
24 report of five per cent or more of the total raft scaled
25 volume or value in favor of the seller as to culls in the
26 raft.

27 (b) If the re-scaling or re-grading shows an error in
28 excess of the percentage limitations contained in (a) of this
29 section, the buyer shall pay the fee and necessary expenses

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for the re-scaling or re-grading of the logs.

Sec. 45.45.160. PENALTY. A buyer who knowingly uses or processes logs in violation of sec. 140 of this chapter is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$1,000.