

Original sponsor: Rules Committee
by request of the Governor

Offered: 10/29/73

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 8

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SPECIAL SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the lease of state land for pipe-
7 line purposes; and providing for an effective date."

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

9 * Section 1. AS 38.05 is amended by adding a new section to read:

10 Sec. 38.05.063. LEASES FOR PIPELINE PURPOSES. (a) The director,
11 when it is in the best interests of the state, may with the approval of
12 the commissioner lease state land after public notice and notice to all
13 members of the legislature, and without public auction for the follow-
14 ing pipeline purposes:

- 15 (1) storage, surge and fuel tanks;
- 16 (2) pump, power and compressor stations and station equip-
17 ment;
- 18 (3) scraper trap and turbine metering facilities;
- 19 (4) topping plants and oil treating facilities;
- 20 (5) valves including remotely controlled block valve equip-
21 ment sites;
- 22 (6) monitoring sites, navigational aid sites, communication
23 system sites, mechanical refrigeration equipment sites;
- 24 (7) terminal and terminal facilities including berthing
25 facilities, docks, tanker loading facilities and tanker ballast treat-
26 ment facilities, sanitation and sewage treatment facilities and
27 pollution control centers;
- 28 (8) pipe storage yards and equipment storage sites;
- 29 (9) fuel and water lines;

1 (10) access facilities including roads, bridges, causeways,
2 stream crossing, airfields and heliports;

3 (11) effluent and diffuser outfall structures;

4 (12) land fill and erosion and environmental control devices
5 and installations;

6 (13) fire protection systems including breakwater structures;

7 (14) construction, operation and maintenance camp sites;

8 (15) material sites, spoil disposal sites, monitoring sites,
9 navigational aid sites, communication system sites, mechanical
10 refrigeration equipment sites.

11 (b) AS 44.62.330 - 44.62.630 do not apply to determinations made
12 under this section.

13 (c) In this section state land includes state lands as defined in
14 sec. 365 of this chapter and public lands of the United States selected
15 by the state under sec. 6 of the Alaska Statehood Act of 1958 (PL 85-
16 508; 72 Stat. 399), as amended, and real property of the United States
17 transferred to the state under secs. 21, 35, and 45 of the Alaska
18 Omnibus Act of 1959 (PL 86-70; 73 Stat. 141), as amended.

19 (d) Before leasing land under this section the director shall
20 determine that the land is necessary for a purpose set out in (a) of
21 this section and he shall also determine that the land leased under
22 this section does not exceed the reasonable needs of the owners of
23 the pipeline, or 2,000 acres. The acreage limitation of sec. 300 of
24 this chapter, or of any other state law or regulation, does not apply
25 to land leased under this section. The director shall have the land
26 appraised and all leases shall be at fair market value or greater.
27 Leases granted under AS 38.05.063 shall be subject to forfeiture if the
28 lands under lease are put to a use substantially different from the
29 uses allowable under AS 38.05.063. The director, with the consent of

1 the commissioner, may also impose conditions, limitations and terms
2 which he considers necessary and proper to protect the interest of the
3 state.

4 (e) The initial lease period of state lands under this section
5 is not to exceed 55 years with the lessee having an option to renew
6 the lease at the end of the initial term for an additional term of up
7 to 55 years.

8 * Sec. 2. This Act takes effect on the day after its passage and
9 approval or on the day it becomes law without approval, and expires one
10 year from that date.

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