

Original sponsor: Rules Committee by
request of the Governor

Offered: 5/16/78
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 3d CS FOR HOUSE BILL NO. 54

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the administration of state land;
7 and providing for an effective date."

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

9 * Section 1. AS 38.05.050 is amended to read:

10 Sec. 38.05.050. FIXING SALE. The commissioner, upon recommenda-
11 tion of the director, [DIRECTOR, WITH THE APPROVAL OF THE COMMISSIONER,]
12 shall determine the lands to be sold, the limitations and conditions
13 which attach to the lands sold, and the terms of the sale. The director
14 shall fix the time of sale and the manner of giving notice of the sale.
15 The sale shall take place at the time and location specified in the
16 notice of sale and within the recording district where the property is
17 located or an adjacent recording district.

18 * Sec. 2. AS 38.05.115(a) and (b) are amended to read:

19 (a) The commissioner, upon recommendation of the director, shall
20 determine the timber and other materials to be sold, and the limita-
21 tions, conditions and terms of sale. The limitations, conditions and
22 terms shall include the utilization, development and maintenance of the
23 sustained yield principle, subject to preference among other beneficial
24 uses. The director may negotiate sales of timber or materials without
25 advertisement and on the limitations, conditions, and terms which he
26 considers are in the best interests of the state, subject to the ap-
27 proval of the commissioner. However, not more than 500 M.B.M. or equi-
28 valent other measure of timber or more than 25,000 cubic yards [\$5,000]
29 of materials may be sold by nonadvertised, negotiated sale to the same

1 purchaser within a one-year period.

2 (b) Negotiated sales [FOR TIMBER OR MATERIALS] not exceeding 50
3 M.B.M. or the equivalent other measure of timber or 2,500 cubic yards of
4 materials [A VALUE OF \$500] are exempt from the provisions of AS 34.15.-
5 150.

6 * Sec. 3. AS 38.05.115 is amended by adding a new subsection to read:

7 (c) The limitations of this section are not applicable to timber
8 which becomes state property under the provisions of AS 45.50.210 - AS
9 45.50.235.

10 * Sec. 4. AS 38.05 is amended by adding a new section to read:

11 Sec. 38.05.118. NEGOTIATED TIMBER SALES IN AREAS OF HIGH UNEMPLOY-
12 MENT. (a) Notwithstanding any other provision of secs. 110 - 120 of
13 this chapter, the director, with the approval of the commissioner, may
14 negotiate a sale of timber to a local manufacturer at appraised value.
15 The period of a contract for a sale of timber negotiated under this sec-
16 tion may not exceed 25 years. The contract shall provide that the
17 appraised value of timber remaining to be harvested under the provisions
18 of the contract shall be redetermined at least once every five years.

19 (b) Notice of intent to negotiate a contract authorized by (a) of
20 this section shall be given in accordance with sec. 305 of this chapter.

21 (c) No sale of timber may be negotiated by the director under this
22 section unless he first finds that, within an area proximate to the
23 business site which the manufacturer may economically serve, there
24 exists

- 25 (1) a high level of local unemployment;
26 (2) an underutilized timber manufacturing capacity; and
27 (3) an underutilized allowable cut of state timber.

28 * Sec. 5. AS 45.50.235 is amended by adding a new subsection to read:

29 (b) Timber property which becomes state property under the pro-

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visions of this section may be sold under terms and conditions established by the director of the division of lands.

* Sec. 6. This Act takes effect immediately in accordance with AS 01.-10.070(c).