

Introduced: 2/13/79
Referred: Commerce

1 IN THE SENATE

BY KERTTULA

2 SENATE BILL NO. 164

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to nonprofit electric or telephone
7 cooperatives."

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

9 * Section 1. AS 38.05.330 is amended to read:

10 Sec. 38.05.330. PERMITS. (a) The director, without the prior
11 approval of the commissioner, may issue permits, rights-of-way or ease-
12 ments on state land for roads, trails, ditches, field gathering lines or
13 transmission and distribution pipelines not subject to AS 38.35, tele-
14 phone and transmission lines, log storage, oil well drilling sites and
15 production facilities for the purposes of recovering minerals from
16 adjacent lands under valid lease, and other similar uses or improve-
17 ments, or for the limited personal use of timber or materials. The
18 commissioner, upon recommendation of the director, shall establish a
19 reasonable rate or fee schedule to be charged for these uses, subject to
20 the exception for nonprofit cooperative associations specified in (b) of
21 this section. In the granting, suspension or revocation of a permit or
22 easement of lands, the director shall give preference to that use of the
23 land which will be of greatest economic benefit to the state and the
24 development of its resources. However, first preference shall be
25 granted to the upland owner for the use of a tract of tideland, or
26 tideland and contiguous submerged land, which is seaward of the upland
27 property of the upland owner and which is needed by the upland owner for
28 any of the purposes for which the use may be granted.

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

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

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