

CORRECTION

Re: SENATE BILL NO. 164 amended

March 20, 1979

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CORRECTION

Please discard SENATE BILL NO. 164 amended and replace with this corrected version.

Introduced: 2/13/79
Referred: Commerce

1 IN THE SENATE

BY KERTTULA

2 SENATE BILL NO. 164 am

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 or electric [AND] transmission and distribution lines, log storage
15 oil well drilling sites and production facilities for the purposes of
16 recovering minerals from adjacent lands under valid lease, and other
17 similar uses or improvements, or for the limited personal use of timber
18 or materials. The commissioner, upon recommendation of the director,
19 shall establish a reasonable rate or fee schedule to be charged for
20 these uses, subject to the exception for nonprofit cooperative associ-
21 ations specified in (b) of this section. In the granting, suspension or
22 revocation of a permit or easement of lands, the director shall give
23 preference to that use of the land which will be of greatest economic
24 benefit to the state and the development of its resources. However,
25 first preference shall be granted to the upland owner for the use of a
26 tract of tideland, or tideland and contiguous submerged land, which is
27 seaward of the upland property of the upland owner and which is needed
28 by the upland owner for any of the purposes for which the use may be
29 granted.

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

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