



LAWS OF ALASKA

1973

Source

Chapter No.

FSS-SCS CSHB 8

8

AN ACT

Relating to the lease or sale of state land for pipeline purposes; and providing for an effective date.

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

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

Sec. 38.05.063. SALES FOR PIPELINE PURPOSES. (a) The director, when it is in the best interests of the state, may with the approval of the commissioner sell state land after public notice and without public auction for the following pipeline purposes:

- (1) storage, surge and fuel tanks;
- (2) pump, power and compressor stations and station equipment;
- (3) scraper trap and turbine metering facilities;
- (4) topping plants and oil treating facilities;
- (5) valves including remotely controlled block valve equipment sites;
- (6) monitoring sites, navigational aid sites, communication system sites, mechanical refrigeration equipment sites; and
- (7) terminal and terminal facilities including berthing facilities, docks, tanker loading facilities and tanker ballast treatment facilities, sanitation and sewage treatment facilities and pollution control centers.

(b) Before selling land under this section the director

shall determine that the land is necessary for a purpose set out in (a) of this section and he shall also determine that the land sold under this section does not exceed the reasonable needs of the owners of the pipeline. The director shall have the land appraised and all sales shall be at fair market value or greater.

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

(d) In this section state land includes state lands as defined in sec. 365 of this chapter and public lands of the United States selected by the state under sec. 6 of the Alaska Statehood Act of 1958 (PL 85-508; 72 Stat. 399), as amended, and real property of the United States transferred to the state under secs. 21, 35 and 45 of the Alaska Omnibus Act of 1959 (PL 86-70; 73 Stat. 141), as amended, but does not include tidelands, submerged lands or shore land.

* Sec. 2. AS 38.05 is amended by adding a new section to read:

Sec. 38.05.076. LEASES FOR PIPELINE PURPOSES. (a) The director, when it is in the best interests of the state, may with the approval of the commissioner lease state land after public notice and without public auction for pipeline purposes including

- (1) pipe storage yards and equipment storage sites;
- (2) storage, surge and fuel tanks;
- (3) pump, power and compressor stations and station equipment;
- (4) scraper trap and turbine metering facilities;
- (5) fuel and water lines;
- (6) topping plants and oil treating facilities;
- (7) access facilities including roads, bridges, causeways, stream crossings, airfields and heliports;
- (8) valves including remotely controlled block valve equipment sites;
- (9) effluent and diffuser outfall structures;
- (10) land fill and erosion and environmental control devices and installations;
- (11) fire protection systems including break-water structures;
- (12) construction, operation and maintenance camp sites;
- (13) material sites, spoil disposal sites, monitoring sites, navigational aid sites, communication system

sites, mechanical refrigeration equipment sites; and

(14) terminal and terminal facilities including berthing facilities, docks, tanker loading facilities and tanker ballast treatment facilities, sanitation and sewage treatment facilities and pollution control centers.

(b) Before leasing land under this section the director shall determine that the land is necessary for a purpose set out in (a) of this section and he shall also determine that the land leased under this section does not exceed the reasonable needs of the owners of the pipeline. The director shall have the land appraised and all leases shall be at fair market value or greater.

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

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

* Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.