

**HOUSE BILL NO. 331**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES THERRIAULT, Kelly

Introduced: 5/3/95

Referred: Resources, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to mining."

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

3 \* Section 1. AS 38.05.130 is amended to read:

4           Sec. 38.05.130. DAMAGES AND POSTING OF BOND. Except for entry  
5 to post mining location corners under AS 38.05.195, 38.05.205, or 38.05.245, rights  
6 [RIGHTS] may not be exercised by the state, its lessees, successors, or assigns under  
7 the reservation as set out in AS 38.05.125 until the state, its lessees, successors, or  
8 assigns make provision to pay the owner of the land full payment for all damages  
9 sustained by the owner [,] by reason of entering upon the land. If the owner for any  
10 cause refuses or neglects to settle the damages, the state, its lessees, successors,  
11 assigns, or an applicant for a lease or contract from the state for the purpose of  
12 prospecting for valuable minerals, or option, contract, or lease for mining coal or lease  
13 for extracting geothermal resources, petroleum, or natural gas, may enter upon the land  
14 in the exercise of the reserved rights after posting a surety bond determined by the  
15 director, after notice and an opportunity to be heard, to be sufficient as to form,

1 amount, and security to secure to the owner payment for damages, and may institute  
2 legal proceedings in a court where the land is located, as may be necessary to  
3 determine the damages that [WHICH] the owner may suffer.