

Original

1 IN THE HOUSE

BY MR. RENTSCHLER

2 HOUSE BILL NO. 131

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act requiring the registration of own-
7 ership of all real property in the
8 Territory; reenacting Sections 22-2-9,
9 22-2-10, 22-2-11, 22-2-12, 22-2-13,
10 22-2-14, 22-2-15 and 22-2-17 AGLA 1949;
11 repealing Sections 22-2-1, 22-2-2,
12 22-2-3, 22-2-4, 22-2-5, 22-2-6, 22-2-7,
13 22-2-8, 22-2-16 and 22-2-18 AGLA 1949,
14 and Chapter 106, Session Laws of Alaska
15 1949; and declaring an emergency.

16 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

17 Section 1. It shall be the duty of each owner of real
18 property in the Territory, other than that to which the United
19 States holds title, or which is owned by the Territory, to file
20 in the office of the recorder of the precinct in which such
21 property is situated, on or before December 31, 1953, a sworn
22 statement giving his name, his postoffice address, a description
23 of such property, and its area or acreage. Upon any transfer
24 of title to real property thereafter a similar statement in the
25 form required by this section must be filed by the transferee
26 on or before December 31st of the year in which such transfer
27 occurred. The owner of real property who has filed the state-
28 ment required hereunder need not thereafter file a statement
29 under this act. Upon failure to file such statement, the

1 owner of such property shall become subject to a penalty of
2 five dollars which shall, on the first day of January following
3 such failure to file, become a lien upon such property which
4 shall be subject to collection as hereinafter provided.

5 Section 2. When such statement is filed, the recorder
6 shall prepare and enter a copy thereof in a special Alaska
7 Registration Law book to be provided by him for that purpose,
8 and shall enter the name of the owner in an alphabetical index
9 together with the date and hour of filing of such statement.
10 The recorder shall on or before the tenth day of each month
11 transmit to the Tax Commissioner all original statements filed
12 with him for the preceding calendar month.

13 Section 3. An error in the description, area or acreage
14 of any property shall not invalidate the assessment of the
15 penalty against such property if such description, area or
16 acreage is sufficiently accurate to identify the property.

17 Section 4. Whenever a penalty shall have been due and
18 unpaid for a period of one year, the lien thereof may be
19 summarily foreclosed by appropriate proceedings by the Tax
20 Commissioner in the name of the Territory in the manner herein
21 provided. The certificate of the Tax Commissioner that such
22 penalty remains due and unpaid shall be evidence of the fact
23 that it is due and unpaid.

24 Section 5. On July 1, 1955, and on July 1st of each year
25 thereafter, the Tax Commissioner shall file in the office of
26 the clerk of the judicial division of the district court in
27 which the property subject to such lien is situated, a list of
28 all parcels of property affected by such liens, which have
29 been unpaid for a period of one year or more after the date the

1 penalties became due and payable. Such parcels shall be
2 numbered serially. The Tax Commissioner shall post a certified
3 copy of such list in his office and shall publish such list
4 once each week for four consecutive weeks in a newspaper of
5 general circulation in the division in which such property is
6 situated. Such list shall be known and designated as the
7 "List of Delinquent Penalties" and shall be captioned as an
8 action in the appropriate division of the district court. The
9 title of such action shall be : "In the matter of foreclosure
10 of liens pursuant to the Alaska Registration Law of 1953 by
11 the Territory of Alaska." Such list of delinquent penalties
12 shall be verified by the affidavit of the Tax Commissioner.
13 The filing of such list in the office of the clerk of court
14 shall constitute and have the same force and effect as the
15 filing in such court of an individual and separate complaint
16 to foreclose a lien against each parcel of property therein
17 described.

18 Section 6. Sections 22-2-9, 22-2-10, 22-2-11, 22-2-12,
19 22-2-13, 22-2-14, 22-2-15 and 22-2-17 AGLA 1949 are reenacted
20 to read as they are printed in the Alaska Compiled Laws
21 Annotated 1949, with the exception that whenever the word
22 "Treasurer" is used in these sections it shall be taken to
23 mean the Tax Commissioner of the Territory. The provisions of
24 these sections are extended to and incorporated into this act
25 as though fully set forth herein, with the exception of any
26 portions thereof which may be inapplicable.

27 Section 7. The Board of Administration is authorized in
28 its discretion to sell, lease or otherwise administer all
29 property to which the Territory may obtain title under the

1 provisions of this act. Proceeds derived from such sales,
2 leases or administration shall be remitted to the Territorial
3 Treasurer and by him deposited into the general fund of the
4 Treasury.

5 Section 8. Responsibility for the administration of the
6 land registration program shall vest in the Department of
7 Taxation, and the Tax Commissioner shall make such rules and
8 regulations as he may deem proper and necessary to carry out
9 the provisions of this act. The Tax Commissioner shall have
10 custody of all land registration records assembled pursuant to
11 sections 22-2-1 to 22-2-18 inclusive, ACLA 1949 and Chapter
12 106, Session Laws of Alaska 1949, and shall have access to
13 such other public records as may relate to his duties as set
14 forth in this act.

15 Section 9. The Tax Commissioner shall collect and receive
16 all penalties due and payable under this act and transmit the
17 same to the Treasurer to be deposited into the general fund
18 of the Treasury.

19 Section 10. Funds to administer this act shall be those
20 provided in appropriations for the Department of Taxation.

21 Section 11. This act shall be known as the "Alaska
22 Registration Law of 1953."

23 Section 12. Sections 22-2-1, 22-2-2, 22-2-3, 22-2-4,
24 22-2-5, 22-2-6, 22-2-7, 22-2-8, 22-2-16 and 22-2-18 ACLA 1949,
25 and Chapter 106, Session Laws of Alaska 1949, are hereby
26 repealed.

27 Section 13. An emergency is declared to exist, and this
28 act shall take effect immediately upon its passage and
29 approval.