

1 IN THE HOUSE

BY MRS. RYAN
BY REQUEST

2 HOUSE BILL NO. 100

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to declare the public land policy
7 with regard to administration and manage-
8 ment of Territorial lands and leaseholds;
9 imposing additional powers and duties,
10 upon the Department of Public Lands; re-
11 pealing Section 11, Chapter 126, SLA 1953;
12 and setting an effective date."

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

14 Section 1. Definitions:

15 (a) The term "Real Property" shall be deemed to refer
16 to land or any right issuing out of, annexed to, and exercisable
17 within or about said land. The term "land" as used in this Act
18 only shall not be deemed to include the buildings and attachments
19 affixed thereto.

20 (b) The term "Department" shall mean Department of
21 Public Lands.

22 (c) The term "Commissioner" shall mean Land Commis-
23 sioner.

24 (d) The term "Territory" shall include the Territory
25 of Alaska or any agency of the Territorial Government.

26 Section 2. Central Administration; Department of public
27 lands. The responsibility for administration and management of
28 all lands, owned by or reserved for the benefit of the Territory,
29 or any agency thereof, is hereby imposed upon the Department;

1 and the Commissioner shall have power to make rules and regula-
2 tions for the management of said lands.

3 Section 3. Current status records. The Commissioner shall
4 maintain a record of the status of all real property now or here-
5 after owned by, reserved for, or under lease to, the Territory
6 including, but not limited to, records of all actions leading to
7 reservation, acquisition, or disposal of all such lands; and
8 said Commissioner shall make such rules and regulations relating
9 to such documents as may be necessary or desirable to insure
10 that said records are current and complete.

11 Section 4. Appraisalment and leasing; standards. The
12 Commissioner shall have power to make rules and regulations
13 regarding the methods of appraisalment, leasing, and sale of all
14 real property. Such rules and regulations shall include, but
15 not be limited to, the following subjects: (a) a schedule of
16 rates and classification of use or uses for all lands to be
17 leased; (b) standards to be used in appraising and setting the
18 value of lands to be leased; (c) methods to be followed in giving
19 public notice of invitations for competitive bids in excess of
20 stipulated valuation; (d) standard procedures for the making of
21 awards to the highest responsible bidder on such leases; (e) the
22 nature and extent of renewal rights, both legal and equitable,
23 for all classes of lessees; (f) standards for periodic adjust-
24 ment of lease rentals based upon changes in appraised values;
25 and, (g) standards for performances of all other acts in regard
26 to leasing such lands whether such leases be with public or pri-
27 vate agencies.

28 Section 5. Sale of lands. The Commissioner shall be respon-
29 sible for the sale of all real property owned by the Territory.

1 Any Territorial agency having the power to sell real property
2 and desiring to sell the same, shall submit all necessary
3 documents to the Commissioner, who shall dispose of such lands
4 in the name of the Territory. All sales shall be to the highest
5 responsible bidder but only after due notice by publication of
6 a notice of sale once a week for three consecutive weeks in a
7 newspaper of general circulation published in the city nearest
8 the place where such lands are located.

9 Section 6. (a) Escheated property. All real property
10 escheated to the Territory shall be administered by the Depart-
11 ment. All records and documents related to such property shall
12 be filed with said Department. Escheated real property may be
13 leased or sold in the same manner as other Territorial lands.

14 (b) Amendments.

15 (1) Title 57-8-6, ACLA, 1949, is hereby amended
16 by striking the last [TREASURER OF THE TERRITORY]
17 and inserting Territorial Land Commissioner.

18 (2) Title 57-8-7, ACLA, 1949, is hereby amended
19 by inserting at the end of the second sentence, and
20 Territorial Land Commissioner. The third sentence of
21 this section shall be amended to read: If the judgment
22 of the court be that the claimant is entitled to the
23 property or proceeds thereof it shall be the duty of
24 the Treasurer to deliver such personal property to such
25 claimant and of the Land Commissioner to deliver such
26 real property to such claimant, (remaining
27 part of section unchanged)

28 (3) Title 57-8-8, ACLA, 1949, as amended by
29 Ch. 5, SLA 49, first sentence thereof, shall be

1 amended to read as follows; the Treasurer shall have
2 authority to sell such personal property and the Land
3 Commissioner to sell such real property at such time
4 and place as they deem of greatest advantage to the
5 Territory and to execute the proper conveyance thereof.
6 But no such property shall be sold by the Treasurer or
7 Land Commissioner(remaining part of sec-
8 tion unchanged)

9 Section 7. Selection of lieu lands. The Land Commissioner
10 shall have power to select, claim and accept lieu or indemnity
11 lands from the United States. In selection of such lands the
12 Commissioner shall be guided by the following priorities: (a)
13 the value of such lands on the basis of the renewable resources
14 thereon; (b) the value of such lands on the basis of mineral and
15 other non-renewable resources; (c) the value of such lands on the
16 basis of productive capacity and adaptability for agriculture
17 and cultivation; and, (d) the value of such lands for grazing
18 and other purposes.

19 Selection of all such lands shall be in as large tracts as
20 legally feasible, and the Commissioner shall make such selections
21 to provide as broad a geographical distribution as is feasible.

22 Section 8. Selection of lands for Territory or State of
23 Alaska. The Commissioner shall have power to select, claim and
24 accept lands granted by the United States pursuant to any act of
25 Congress. Prior to and after the date when such lands shall be-
26 come available to the Territory or State, the Land Commissioner
27 shall proceed to appraise available lands and select, as soon as
28 practicable and within any statutory time limit, the lands which
29 will be the most valuable to the Territory or State of Alaska.

1 In making such selections the Land Commissioner shall be guided
2 by the priorities set forth in section 6 of this Act; Provided,
3 that in addition to said priorities, the Commissioner shall also
4 consider the value of such lands for park and recreation pur-
5 poses.

6 Section 9. Board of Regents. Nothing in this Act shall be
7 construed to deprive the Board of Regents of the University of
8 Alaska of any of its existing duties, functions or powers.

9 Section 10. Limitation of officials holding Territorial
10 leases. No member of or delegate to the United States Congress
11 or the Territorial Legislature who is a party to a Territorial
12 lease or permit for land shall influence others or participate
13 in the formation of the Territorial land policies or laws affect-
14 ing their personal interest in such leases or permits.

15 Section 11. Repealer. Section 11, Chapter 126, Session
16 Laws of Alaska, 1953, is hereby repealed.

17 Section 12. Effective date. This Act shall take effect and
18 be in force from and after its passage and approval.
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