

1 IN THE HOUSE

BY THE COMMITTEE ON RESOURCES

2

HOUSE BILL NO. 119

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6

For an Act entitled: "An Act relating to Alaska lands, resources

7

or interests therein; establishing a Depart-

8

ment of Lands; establishing a Land Board,

9

and prescribing its duties and powers;

10

establishing the Office of the Land Director,

11

and prescribing his duties and powers;

12

permitting the sale, lease and disposal

13

of Alaska lands, resources or interests

14

therein; repealing Ch. 126, SLA 1953 and

15

Ch. 183, SLA 1955."

16

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

17

PREAMBLE

18

It is the policy of Alaska to encourage the settlement of

19

its land and the development of its resources by making them

20

available for maximum use consistent with the public interest.

21

Article I

22

TITLE AND DEFINITIONS

23

Section 1. SHORT TITLE: This Act shall be known as the

24

"Alaska Land Act."

25

Sec. 2. DEFINITIONS: For the purpose of this Act, the term

26

defined shall have the meaning provided herein unless the context

27

clearly requires otherwise:

28

(a) "Alaska" means the Territory of Alaska or in the

29

event of statehood, the State of Alaska.

1 (b) "Alaska Lands" means all lands or resources re-
2 served, granted to or acquired in any manner by Alaska, or any
3 agency, department, or institution thereof.

4 (c) "Alaska Public Domain Lands" are lands belonging
5 to or held in trust by or for Alaska, and includes all Alaska and
6 Public lands and interests therein, including shore, submerged
7 and tidal lands.

8 (d) "Agriculture and Grazing Lands" shall include all
9 Alaska lands chiefly valuable for agriculture, cultivation and
10 grazing purposes.

11 (e) "Board" means the members of the Alaska Land
12 Board.

13 (f) "Director" means the Director of the Alaska Depart-
14 ment of Lands.

15 (g) "Department" means the Alaska Department of Lands.

16 (h) "Industrial and Settlement Lands" include all
17 Alaska lands chiefly valuable for industrial trade, manufacturing
18 and settlement use.

19 (i) "Land" includes any ground, soil, water or earth
20 whatever.

21 (j) "Lieu and Indemnity Lands" are lands which Alaska
22 is entitled to or has selected under the provisions of 38 Stat.
23 1214, as amended (48 U.S.C. 353) to compensate for lands in lieu
24 of Sections 16 and 36 of surveyed rectangulars, which have been
25 lost to Alaska by reason of deficient sections, prior rights,
26 claims, and other appropriations.

27 (k) "Mental Health Lands" are all lands granted under
28 the provisions of Title III, Section 2 (2) of Public Law 830,
29 84th Congress, 2nd Session.

1 (l) "Mineral Lands" shall include all Alaska lands
2 chiefly valuable for minerals, other than oil and gas and those
3 subject to location under the United States mining laws.
4 (m) "Oil and Gas Lands" shall include all Alaska lands
5 chiefly valuable for oil and gas development.
6 (n) "Park and Recreational Lands" include lands chiefly
7 valuable for public park and recreational use.
8 (o) "School Lands" are Sections 16 and 36 of all sur-
9 veyed rectangles reserved to Alaska under the provisions of 38
10 Stat. 1214, as amended (48 U.S.C. 353).
11 (p) "Shore Lands" shall include all lands belonging
12 to Alaska which are covered by non-tidal waters that are navigable
13 under the laws of the United States up to ordinary high water mark
14 as heretofore or hereafter modified by accretion, erosion, or re-
15 liction.
16 (q) "Submerged Lands" shall include those lands covered
17 by tidal waters between the line of mean low water and seaward to
18 a distance of three geographical miles.
19 (r) "Tide Lands" shall include those lands which are
20 periodically covered by tidal waters between the elevation of
21 mean high and mean low tides.
22 (s) "Timber and Material Lands" shall include all
23 Alaska lands chiefly valuable for materials, including, but not
24 limited to, sand, stone, gravel, common clay, timber, and other
25 forest products.
26 (t) "University Lands" shall include all Sections 33
27 reserved to the University under 38 Stat. 1214, as amended (48
28 U.S.C. 353) and all lands granted for the benefit of the Univer-
29 sity.

1 Article II

2 ORGANIZATION, AUTHORITY AND DUTY

3 Section 1. DEPARTMENT OF PUBLIC LANDS. There is hereby
4 created a Department of Public Lands of Alaska. The Department
5 shall be under the control and supervision of the Board. Admin-
6 istrative powers and other delegated duties, as prescribed by
7 law or regulation, shall be vested in the Director.

8 Sec. 2. COMPOSITION OF THE BOARD. The Alaska Land Board
9 shall be composed of the Commissioner of Agriculture, the Com-
10 missioner of Mines, the Commissioner of Education, the Highway
11 Engineer, and the Attorney General, or such persons within each
12 of those agencies as may be designated by the particular agency
13 head.

14 Sec. 3. APPOINTMENT OF DIRECTOR. A Director shall be ap-
15 pointed for a four-year term of office by the Governor of Alaska,
16 by and with the consent of the Legislature in joint session as-
17 sembled, and in substantial conformity with Ch. 64, SLA 1955.

18 Sec. 4. QUALIFICATIONS OF THE DIRECTOR. The Director shall
19 have experience in public administration and in two or more of
20 the following: (1) land appraisement, (2) land law, (3) land
21 registration, (4) land or public survey office procedures and (5)
22 public park and recreation knowledge.

23 Sec. 5. AUTHORITY AND DUTIES OF THE BOARD.

24 (1) The Land Department shall be administered under the
25 supervision of the Board.

26 (2) The Board, on such days and at such time as they
27 may agree shall hold a regular meeting every January, April, July
28 and October of each year for the conduct of its official business.

29 (3) The Board may establish reasonable procedures and

1 make and promulgate reasonable rules and regulations necessary to
2 carry on the provisions of this Act and, where necessary, issue
3 directives or orders to the Director to carry out specific func-
4 tions and duties. All rules and regulations promulgated by the
5 Board shall be filed with the Department of Finance and the At-
6 torney General before such rules or regulations shall become ef-
7 fective.

8 (4) The Board may select and employ, or obtain at rea-
9 sonable compensation such cadastral, appraisal, or other profes-
10 sional personnel as it deems are necessary for the proper opera-
11 tions of the Department.

12 (5) The Board shall be the certifying agent of Alaska
13 to accept and secure by any necessary action in the name of Alaska,
14 by deed, sale, gift, devise, judgment, operation of law, or any
15 other means any lands, of whatever nature or interest, available
16 to Alaska, and to be the certifying agent of Alaska, accept or
17 secure by any necessary action in the name of Alaska, any lands or
18 any title or interest thereto, available, granted, or subject to
19 being transferred to Alaska for any purpose; provided, however,
20 nothing in this Act shall be construed to deprive the Board of
21 Regents of the University of Alaska of any of its duties, func-
22 tions or powers.

23 (6) The Board shall have jurisdiction over all Alaska
24 Public Domain lands, except those lands which are (a) not devoted
25 to or reserved for a particular use or right by law, (b) acquired
26 by the Alaska World War II Veterans Board and the Agricultural
27 Loan Board through foreclosure or default.

28 (7) The Board is hereby charged with the administration
29 of, and leasing jurisdiction over school lands. To this end the

1 Board shall possess all of the powers and perform all of the
2 duties necessary to protect Alaska's rights and interests therein.

3 (8) The Board is hereby charged with the administration
4 of, and selling, leasing and disposal jurisdiction over mental
5 health lands. To this end the Board shall possess all of the
6 powers and perform all of the duties necessary to protect Alaska's
7 rights and interests therein.

8 (9) A majority of the Board shall approve all contracts
9 respecting the sale, lease, or other disposal of available lands,
10 resources, property or any interests therein, and in addition to
11 the conditions and limitations imposed by law, it may impose any
12 additional conditions or limitations in such contracts as it de-
13 termines will best serve the interests of Alaska. No contract
14 respecting the sale, lease, or other disposal of available lands
15 shall be legally binding on Alaska until a majority of the Board
16 has formally recorded its approval in the minutes of a regular
17 Board meeting. This Subsection shall not apply to the various
18 exceptions set forth in this Act.

19 (10) The Board may delegate any of the duties, func-
20 tions and powers to one or more of the members or to the Director
21 to be exercised on behalf of the Board during the time it is not
22 in session.

23 (11) The Board shall have the authority to review any
24 order or action of the Director.

25 (12) The Board may exercise all those powers and do all
26 those acts necessary to carry out the provisions and objectives
27 of this Act.

28 Sec. 6. POWERS AND DUTIES OF THE DIRECTOR. The Director
29 shall: (1) Have general charge and supervision of the Department

1 and may exercise the powers specifically delegated to him. He
2 may employ and fix the compensation of such assistants and employ-
3 ees as are necessary for the operations of the Department. He
4 shall also be the certifying officer of the Department, and may
5 approve all lawful vouchers for disbursement of monies appropria-
6 ted to the Department.

7 (2) Manage, inspect and control all lands and improve-
8 ments thereon placed within the jurisdiction of the Department.

9 (3) Execute all laws, rules, regulations and orders as
10 are properly promulgated by the Board and imposed upon him.

11 (4) Prescribe application procedures and practices
12 relative to the sale, leasing or other disposing of available
13 lands, resources, property, or any interests therein.

14 (5) Prescribe fees or service charges for any public
15 service rendered.

16 (6) Under the conditions and limitations imposed by
17 law and the Board, issue any deed, lease or other conveyance
18 disposing of available lands, resources, property or any interests
19 therein.

20 (7) Take all necessary action, legal or otherwise, to
21 protect and enforce Alaska's contractual or other property rights.

22 (8) Administer the Alaska Land Registration Acts, Ch.
23 134, SLA 1953, and Ch. 135, SLA 1955, and do all acts necessary
24 thereunder that will insure collection of all registration fees
25 and penalties that may arise.

26 (9) Maintain such records as the Board may deem neces-
27 sary, administer oaths, and do all things incidental to the
28 authority imposed.

29 Sec. 7. DIRECTOR SHALL BE BONDED. Prior to entering upon

1 the performance of his duties, the Director shall execute a corpo-
2 rate surety bond to Alaska in the sum of \$10,000.00 conditioned
3 among other things upon the faithful performance of his duties un-
4 der this Act and upon the prompt and faithful accounting of all
5 monies collected by him or his deputies, assistants, employees
6 or agents. The said bond, together with any additional conditions
7 or limitations as may be deemed necessary, shall be approved by
8 the Attorney General and filed in the office of the Department of
9 Finance. The premium upon said bond shall be payable from such
10 monies as may be appropriated for operation of the Department of
11 Public Lands.

12 Article III

13 GENERAL

14 Section 1. The Director shall make a preliminary classifi-
15 cation of all lands as to its preferred use, which classification,
16 together with a land use plan, shall be transmitted to the Board
17 for its approval, modification or rejection. No lands shall be
18 sold, leased or otherwise disposed of except in accordance with
19 its approved classified use; providing, however, nothing herein
20 shall prevent reclassification of any lands where the public in-
21 terest warrants such action, nor preclude multiple purpose use of
22 all lands whenever the different uses are compatible.

23 Sec. 2. No land within or adjacent to an incorporated muni-
24 cipality or other organized community may be leased or sold, or
25 a renewal lease issued, until the proposed use of the land has
26 been studied and reviewed jointly by the Board and local author-
27 ized planning authority created under Ch. 115, SLA 1953, as amend-
28 ed.

29 Sec. 3. No lands shall be sold or leased, or a renewal lease

1 issued, unless the same has been appraised within ninety days
2 prior to the date fixed for the sale or leasing, and no public
3 lands shall be sold or leased for less than the approved, apprais-
4 ed commercial value by a qualified appraiser, except as provided
5 for in Section 5 of this Article.

6 Sec. 4. The lease, sale, or disposal of any Alaska lands or
7 resources may be made to any Alaska or Federal agency, political
8 subdivision or non-profit organization for less than the appraised
9 value, as may be determined by the Board to be fair and proper and
10 in the best interests of the public, with due consideration being
11 attributed to the nature of the public services or function ren-
12 dered by the said agency, subdivision or non-profit organization
13 making application therefor.

14 Sec. 5. The Board may subject unappropriated surveyed
15 Alaska lands, adaptable to any agricultural use to homestead
16 entry if (a) they are not school lands, mental health lands or
17 lands conveyed to Alaska by the Federal Government for the specific
18 purpose of producing revenue, (b) they are not mineral in char-
19 acter, (c) are not occupied for the purposes of trade or business,
20 and (d) have not been embraced within the limits of any incorpor-
21 ated city or public utility district.

22 Sec. 6. The Director, without the prior approval of the
23 Board, may issue permits, rights-of-way or easements for second
24 class roads, trails, ditches, pipelines, telephone and transmis-
25 sion lines and other similar improvements. The Board shall estab-
26 lish a reasonable rate or fee schedule to be charged for all such
27 use.

28 Sec. 7. The Director may require any applicant seeking the
29 sale, lease or disposal of lands to deposit an amount covering the

1 estimated cost of an appraisal, survey and necessary advertising.
2 All deposited funds not expended shall be refunded to the appli-
3 cant. In the event the lands are sold or leased to other than
4 the applicant making the deposit, the party awarded the lands
5 shall pay the total actual cost of appraising and surveying the
6 said lands, together with the total actual cost of advertising,
7 and the original applicant's deposit returned to him.

8 Sec. 8. The rights of aliens under this Act shall be in
9 accordance with 41 U. S. Stat. 437, as adopted in Sec. 47-3-2, ACLA
10 1949.

11 Sec. 9. All contracts of purchase or lease of lands shall
12 be, on the affirmative approval of the Director, assignable in
13 writing by the contract holder or lessee, and the assignee shall
14 be subject to and governed by the provisions of law applicable
15 to the purchaser, or lessee, of whom he is the assignee.

16 Sec. 10. All public notice of any sale, lease or disposal
17 of lands or any interest therein, when required, shall be sub-
18 stantially as follows:

19 Notice shall be published once a week for three consecutive
20 weeks next preceding the time of sale stated in the notice, in
21 at least one newspaper of general circulation published in the
22 vicinity in which the land, property or interest therein is to
23 be sold, leased or otherwise disposed, setting forth a descrip-
24 tion of the land, and the time, place and general terms of the
25 sale, lease or disposal describing with particularity the land
26 or interest therein to be sold, leased or otherwise disposed of
27 and state the appraised value thereof.

28

Article IV

29

SALE OF LANDS

1 Section 1. GENERAL. All lands, other than timber or graz-
2 ing lands, together with any tide, submerged or shore lands, to
3 which Alaska may hold fee title or to which Alaska may become en-
4 titled, and which are not devoted to or reserved for a particular
5 use or right by law, may be sold in the manner provided hereafter.

6 (1) The Board shall determine those other available
7 lands which shall be sold, the limitations and conditions which
8 shall attach to the lands sold, and the terms that shall accom-
9 pany the sale.

10 (2) The date of sale and notice thereof shall be made
11 by the Director.

12 (3) The sale shall take place at the time and location
13 specified in the notice of sale and within the recording precinct
14 where the designated property is located.

15 (4) The contract of sale shall be subject to the ap-
16 proval of a majority of the Board.

17 Sec. 2. The sale shall be made at public auction to the
18 highest qualified bidder as shall be determined by the Director;
19 provided, however, an aggrieved bidder may appeal to the Board
20 within five days after such sale for a review of the Director's
21 determination. The sale shall be conducted by the Director or
22 his representative, and at the time of sale the successful bidder
23 shall deposit, in cash, or by certified check, an amount equal to
24 one-tenth of the purchase price, whereupon the Director or his
25 representative shall immediately issue a receipt containing a
26 description of the land or property purchased, the price bid and
27 the terms of sale, which receipt shall be acknowledge in writing
28 by the bidder. A contract of sale approved by the Attorney Gen-
29 eral shall be signed by the purchaser and following the approval

1 of a majority of the Board, the contract shall also be signed by
2 the Director on behalf of Alaska. Provided, however, and prior
3 to the signing of the formal conveyance by the Director, the
4 Board may reject any and all bids when the best interests of
5 Alaska justifies such action.

6 Sec. 3. CONTRACT PROVISIONS. The contract of sale shall
7 require the remainder of the purchase price to be paid in annual
8 installments of not less than five percent of the purchase price,
9 with interest at the rate of five percent per annum. Such con-
10 ditions, limitations and terms may also be imposed by the Board
11 as it shall deem necessary and proper to protect the interests
12 of the Territory. Violations of any provisions of this Act or
13 the terms of the contract of sale shall subject the purchaser to
14 appropriate legal action, including, but not limited to, a fore-
15 closure action in accordance with applicable Alaska law.

16 Sec. 4. RESERVATION PROVISION. Each and every contract for
17 the sale of, and each deed to, public land, properties, or in-
18 terest therein, shall contain the following reservations: "The
19 party of the first part, Alaska, hereby expressly saves, excepts
20 and reserves out of the grant hereby made, unto itself, its suc-
21 cessors, and assigns forever, all oils, gases, coal, ores, min-
22 erals, fissionable materials, and fossils of every name, kind or
23 description, and which may be in or upon said lands above describ-
24 ed, or any part thereof, and the right to explore the same for
25 such oils, gases, coal, ores, minerals, fissionable materials and
26 fossils, and it also hereby expressly saves and reserves out of
27 the grant hereby made, unto itself, its successors, and assigns
28 forever, the right to enter by itself, its agents, attorneys, and
29 servants upon said lands, or any part or parts thereof, at any

1 and all times, for the purpose of opening, developing and work-
2 ing mines thereon, and taking out and removing therefrom all such
3 oils, gases, coal, ores, minerals, fissionable materials and fos-
4 sils, and to that end it further expressly reserves out of the
5 grant hereby made, unto itself, its successors, and assigns for-
6 ever, the right by its or their agents, servants and attorneys
7 at any and all times to erect, construct, maintain, and use all
8 such buildings, machinery, roads, and railroads, sink such shafts,
9 remove such soil, and to remain on said lands or any part thereof
10 for the business of mining and to occupy as much of said lands as
11 may be necessary or convenient for the successful prosecution of
12 such mining business, hereby expressly reserving to itself, its
13 successors, and assigns, as aforesaid, generally all rights and
14 powers in, to, and over said land, whether herein expressed or
15 not, reasonable necessary or convenient to render beneficial and
16 efficient the complete enjoyment of the property and the rights
17 hereby expressly reserved.

18 Sec. 5. DISCOVERY AND APPROPRIATION RIGHTS.

19 (c) Discovery and appropriation shall be the basis for
20 establishing a right to those minerals reserved to Alaska which
21 are subject to location under the Federal Mining Laws. Appropria-
22 tion of such minerals will be in conformance with Section 47-3-1
23 through and including Section 47-3-92, ACLA 1949, as amended.

24 (b) No rights shall be exercised under the foregoing
25 reservation, by Alaska, its successors or assigns, until provi-
26 sion has been made by Alaska, its successors or assigns, to pay to
27 the owner of the land, upon which the rights, herein reserved to
28 Alaska, its successors or assigns, are sought to be exercised,
29 full payment for all damages sustained by said owner, by reason

1 of entering upon said land: Provided that if said owner for any
2 cause whatever refuses or neglects to settle said damages with
3 Alaska, its successors, assigns, or any applicant for a lease
4 or contract from Alaska for the purpose of prospecting for or
5 mining valuable minerals, or option contract or lease for mining
6 coal or lease for extracting petroleum or natural gas, he shall have
7 the right to institute such legal proceedings in a court of com-
8 petent jurisdiction wherein the land is situated, as may be nec-
9 essary to determine the damages which the owner of such lands
10 may suffer.

11 Article V

12 LEASING OF LANDS

13 Section 1. GENERAL. All lands, together with any tide,
14 submerged or shore lands, to which Alaska holds title or to which
15 Alaska may become entitled, and which is not devoted to or re-
16 served for a particular use or right by law, may be leased in the
17 manner provided hereafter.

18 (1) The Board shall determine those public or other
19 available lands which shall be leased and the limitations and con-
20 ditions that shall attach to the lands sold and the terms that
21 shall accompany the lease; provided, however, if the total ap-
22 praised value of the transaction is \$250.00 per annum or less the
23 Director may negotiate a lease without advertisement for a period
24 not to exceed five years, and, on such limitations, conditions
25 and terms as he deems are in the best interests of Alaska.

26 (2) Leases may be issued for a period up to fifty-five
27 years, if it appears to be in the best interests of Alaska and is
28 approved by a majority of the Board; provided, however, grazing
29 and timber lands shall not be leased; nor shall permits over such

1 lands be issued for any period in excess of twenty years; and pro-
2 vided, further, grazing and timber permits shall be subject to
3 being set aside and held to be null and void if at anytime after
4 five years of the issuance of the permit, the land is placed in
5 a higher land use classification and the Board determines that
6 the land or any interest therein should be sold, leased or dis-
7 posed of for the reclassified use.

8 Sec. 2. LEASING PROCEDURES. The leasing shall be made at
9 public auction to the highest qualified bidder as shall be deter-
10 mined by the Director; provided, however, an aggrieved bidder may
11 appeal to the Board within five days for a review of the Director's
12 determination. The leasing shall be conducted by the Director, or
13 his representative, and the successful bidder shall deposit the
14 first year's rental, in cash or by certified check, in accordance
15 with his bid, where upon the Commissioner or his representative
16 shall immediately issue a receipt containing a description of the
17 land or interest therein leased, the price bid and terms of the
18 lease, which receipt shall be acknowledged in writing by the bid-
19 der. A formal lease, approved by the Attorney General, shall be
20 signed by the lessee and, upon a majority of the Board approving
21 the lease, shall also be signed by the Director. Provided, however
22 and prior to the signing of the formal lease by the Director, the
23 Board may reject any and all bids for leases when the best in-
24 terests of Alaska justifies such action.

25 Sec. 3. LEASING PROVISIONS. The lease shall require the pay-
26 ment, in advance of the annual rent as determined by the lessee's
27 bid. Such conditions, limitations and terms may also be imposed
28 by the Board as it shall deem necessary and proper to protect the
29 interests of Alaska. Violations of any provision of this Act or

1 the terms of the lease shall subject the purchaser to appropriate
2 legal action, including, but not limited to, a forfeiture of the
3 lease. Due notice of all action by the Board or Director affect-
4 ing the rights of the lessee shall be given the lessee.

5 Sec. 4. REMOVAL OR REVERSION OF IMPROVEMENTS UPON TERMINA-
6 TION OF LEASES. Improvements placed on public lands owned by a
7 lessee shall, within 60 days after the termination of the lease,
8 be removed by him; providing, such removal will not cause injury
9 or damage to the lands and further providing, that the Board may
10 extend the time for removing such improvements in cases where
11 hardship is established to its satisfaction. The retiring lessee
12 or permittee may, with the consent of the Board, sell his im-
13 provements to the succeeding lessee or permittee.

14 If any improvements are not removed within the time allowed
15 and have an appraised value in excess of \$10,000.00, as deter-
16 mined by the Director, such improvements shall be sold under the
17 direction of the Board, at public sale, after appraisalment, upon
18 due notice to the lessee, and the proceeds received shall inure
19 to the lessee who placed such improvements on the lands after
20 paying to Alaska all rents due and owing and expenses incurred in
21 making such sale; provided, further, the Board is hereby author-
22 ized at all such sales in case there are no other bidders to bid
23 on such improvements at a reasonable figure, in the name of Alaska.
24 The bid money shall be taken from the fund to which said lands
25 belong and the said fund shall receive all monies or other value
26 subsequently derived from the sale or leasing of such improve-
27 ments. Alaska shall acquire all the rights, both legal and
28 equitable, that any other purchaser could acquire by reason of
29 said purchase.

1 If any improvements are not removed within the time allowed
2 and have an appraised value of \$10,000.00 or less, as determined
3 by the Director, such improvements shall revert and absolute title
4 shall vest in Alaska.

5 Sec. 5. SUBLEASES. Any lessee who is a resident of Alaska
6 may sublease or assign the lands upon which he has a lease, for a
7 period of not more than one year; provided that before any lessee
8 shall be permitted to sub-let or assign any of such lands he
9 shall make application to the Director for a permit and the Dir-
10 ector may issue such permit if the said lessee is not delinquent
11 in the payment of rents or other monies due and owing, Alaska and
12 the Director finds it in the best interests of Alaska.

13 Sec. 6. WASTE OR INJURY TO LAND - PENALTY. If any person
14 shall commit waste, or trespass or other injury upon any of the
15 lands herein referred to, the person so offending shall, in ad-
16 dition to being civilly liable for any damages caused, upon con-
17 viction thereof be fined in any sum not exceeding one-thousand
18 dollars (\$1,000.00).

19 Sec. 7. RENEWAL OF LEASE. If, at the expiration of any
20 lease of any lands, the lessee desires a renewal lease on the lands
21 properties, or interests covered thereby, he shall within
22 30 days before the expiration of his lease make application in
23 writing for a renewal lease, certifying under oath as to the
24 character and value of all improvements existing on the land,
25 properties or interests therein; the purpose for which he de-
26 sires a renewal lease and such other information as the Director
27 may require. The applicant shall deposit with such application
28 the sum equivalent to 50 percent of the annual rental payment
29 still in effect but not to exceed \$50.00. The Board may thereafter

1 lease said lands in substantial compliance with all Sections of
2 this Article with a preference being allowed the former lessee
3 if all other pertinent factors are equivalent.

4 Sec. 8. PERIODICAL RENTAL ADJUSTMENTS. All leases shall
5 stipulate that the annual rental payment shall be subject to ad-
6 justment at five year intervals and any charges or adjustment
7 shall be based primarily on a reappraised annual rental value,

8 Article VI

9 DISPOSAL OF TIMBER AND MATERIAL LANDS

10 Section 1. SALE OF TIMBER AND MATERIAL LANDS. The Director
11 shall make cruises and appraisals of timber and other materials
12 in or upon lands and transmit all such data with respect to such
13 cruises and appraisals to the Board, together with his recom-
14 mendations with respect to (a) the timber and other materials
15 which should be offered for sale, and (b) the terms of sale of
16 such timber or other materials thereon.

17 Sec. 2. LIMITATIONS AND CONDITIONS OF SALE. The Board
18 shall determine the timber and other materials which shall be
19 sold, and the limitations and conditions that shall attach to the
20 timber and materials sold, and the terms that shall accompany the
21 sale; said limitations, conditions and terms to include the util-
22 ization, development and maintenance of the sustained yield prin-
23 ciple, subject to preferences among other beneficial uses; pro-
24 vided, however, timber sales not exceeding 500 M.B.M., or material
25 sales not exceeding the appraised value of \$2,500.00, may be ne-
26 gotiated by the Director without advertisement and on such limit-
27 ations, conditions and terms as he deems are in the best interests
28 of Alaska; provided, further, that two or more non-advertised and
29 negotiated sales of timber or material shall not be made to the

1 holds title or to which Alaska may become entitled, which contain
2 minerals or oil and gas, may be leased under procedures and terms
3 and requirements recommended by the Commissioner of Mines and
4 established by the Board. Such leases shall be in substantial
5 conformity with Chapter 40, SLA 1955, as amended, and, so far as
6 practicable, with existing United States laws and regulations,
7 in order that, when necessary, Alaska lands adjacent to United
8 States lands may be administered with uniformity. Mineral or
9 oil and gas lands may be withheld from lease application on a
10 first-come, first-serve basis, and offered only on a competitive
11 bid basis when, determined by the Board, to be in the best in-
12 terests of Alaska. The Board may, however, offer additional in-
13 centive and other terms in leasing unproven areas for explora-
14 tion whenever it appears to be in the best interests of Alaska to
15 do so.

16 Article VIII

17 LAND SELECTION

18 Section 1. SELECTION PRACTICE, The selection of all grant,
19 lieu and indemnity lands shall conform to the provisions of this
20 Act and to the policy, orders, rules and regulations adopted by
21 the Board. Preference of selection by the Board shall be given
22 to the land which will provide the maximum benefits to the people
23 of Alaska.

24 Article IX

25 PARKS, RECREATION AREAS AND RESERVATIONS

26 Section 1. DEVELOPMENT OF PARK AND RECREATIONAL AREAS. The
27 Director, with the approval of the Board, shall establish a pol-
28 icy whereby parks and recreational areas, including public scenic
29 overlooks and cultural sites in Alaska shall be developed in a

1 declared and this Act shall take effect immediately upon its
2 passage and approval or upon its becoming law without such
3 approval, provided, however, that until such time as a Director
4 is appointed, the acting Land Commissioner under Chapter 126,
5 SLA 1953, as amended by Chapter 183, SLA 1955, shall perform the
6 duties herein delegated to the Director.

7 Sec. 4. REPEALER. Chapter 126, SLA 1953, as amended by
8 Chapter 183, SLA 1955, is hereby repealed.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29