

1 IN THE SENATE

BY SENATOR OWEN

2 SENATE BILL NO. 29

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 compulsory mining claim
7 assessment work affidavits, and amending
8 Sec. 47-3-55, ACLA 1949."

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

10 Section 1. Purpose. The purpose of this Act is to provide
11 for current and complete records on all unpatented mining claims
12 to facilitate a more orderly and active development of mineral
13 lands.

14 Sec. 2. Sec. 47-3-55, ACLA 1949 is hereby amended to read as
15 follows:

16 Sec. 47-3-55. -EFFECT OF RECORDING: FAILURE TO RECORD
17 DEEMED ABANDONMENT / BURDEN OF PROOF WHERE AFFIDAVIT NOT FILED
18 IN TIME/. The affidavit when recorded as provided in this
19 Act (Secs. 47-3-30---47-3-34, 47-3-51, 47-3-53, 47-3-55---
20 47-3-57 herein) shall be prima facie evidence of the perform-
21 ance of the work or of making the improvements therein
22 stated. The failure to file for record the assessment work
23 affidavit as herein provided shall be deemed an abandonment
24 of the claim and it shall then be subject to relocation by
25 any other person, provided, however, that a compliance with
26 the provisions of this Act before any relocation, shall
27 operate to save the rights of the original locator, and
28 further provided, that if said claim has not been relocated
29 by any other person or persons within one year after such

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forfeiture, the last locator, claimant or owner of such
forfeited claim may return to said forfeited claim and
relocate the same as though the same had never been located.
[BUT IF SUCH AFFIDAVIT BE NOT FILED WITHIN THE TIME FIXED
BY THIS ACT THE BURDEN OF PROOF SHALL BE UPON THE CLAIMANT
TO ESTABLISH THE PERFORMANCE OF SUCH WORK OR THE MAKING OF
SUCH IMPROVEMENTS/.