

1 IN THE SENATE

BY SENATOR POLLOCK

2 SENATE BILL NO. 10.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the transfer of tide
7 and submerged lands; and providing for an
8 effective date."

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

10 Section 1. Upon application by any municipal corporation
11 entitled to a conveyance of tide and submerged lands, pursuant to
12 Art. III, Sec 5(3)(a), Ch. 169, SLA 1959, the director of the
13 division of lands of the Department of Natural Resources is hereby
14 authorized to make or provide for the making of such surveys as
15 may be required for the transfer of tide and submerged lands to
16 the municipal corporation, and for conveyance of tide and sub-
17 merged lands by the municipal corporation to occupants of those
18 lands who hold preference rights. When such application is
19 accepted, the governing body of the municipal corporation shall
20 execute a contract on a form approved by the attorney general
21 providing for such survey under the sole management and super-
22 vision of the director and for repayment according to the pro-
23 visions of this Act.

24 Sec. 2. The survey herein provided for shall define the
25 outside boundary of the lands to be conveyed to the municipal
26 corporation and shall, on the same or separate plats, show all
27 structures and improvements thereon and the boundaries of each
28 tract occupied or developed, together with the name of the owner
29 or claimant thereof. The plats shall provide like information

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1 as to all tracts adjoining the outside boundary of the lands to be
2 conveyed to the municipal corporation. A sketch plat, sufficient
3 for its purpose in the opinion of the director, shall indicate
4 the boundaries of each occupied or developed tract as determined
5 by the governing body of such municipal corporation and the sketch
6 plat shall be prepared and submitted to the director before actual
7 surveying shall begin. Nothing contained in this Act and nothing
8 contained in any plat or sketch showing interior subdivision of
9 the lands to be conveyed to the municipal corporation shall be
10 construed as a determination of any preference right, nor shall
11 it prohibit adjustment and re-survey of such interior subdivision.

12 Sec. 3. A special fund shall be established in an amount
13 to be determined from time to time by the legislature to facilitate
14 such work. The fund shall be administered by the director of the
15 division of lands and all costs and expenses relative to the sur-
16 veys provided for in this Act shall be drawn from the fund.
17 Accounting shall be made to the municipal corporation by the
18 director periodically showing the costs and expenses incurred and
19 a final accounting shall be made upon patent of the lands to the
20 municipal corporation. Costs and expenses chargeable to the city
21 shall include the actual amount expended for the survey and a
22 reasonable allocation of overhead, travel and equipment expense.
23 The total amount of such costs and expenses shall be repaid to the
24 fund through the director by the municipal corporation for whom
25 the survey was made, with interest at 5 per cent per annum from
26 the date of patent. The cost of survey of each interior subdivi-
27 sion shall be determined by the director. As to tracts con-
28 veyed to a preference right holder, the fund shall be reimbursed
29 in the amount of the survey costs of that tract as determined by

1 the director within 30 days after the transfer of each tract. As
2 to tracts conveyed, leased or otherwise disposed of by the
3 municipal corporation, the fund shall be reimbursed by the
4 municipal corporation in an amount equal to 90 per cent of the
5 gross proceeds of such sale, lease or other disposal of each
6 tract until the total amount, with interest, has been paid.

7 Sec. 4. The commissioner of natural resources, upon recom-
8 mendation of the director, may establish reasonable procedures
9 and make and promulgate reasonable rules and regulations necessary
10 to carry out the provisions of this Act.

11 Sec. 5. This Act takes effect on the day after its passage
12 and approval, or on the day it becomes law without such approval.
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