

1 IN THE SENATE

BY SENATOR POLLOCK

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SENATE BILL NO. 10

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SECOND LEGISLATURE - FIRST SESSION

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A BILL

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

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

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Section 1. Upon application by any municipal corporation with
11 a population of less than 5,000 persons according to the latest
12 U. S. census entitled to a conveyance of tide and submerged lands,
13 pursuant to Art. III, Sec. 5(3) (a), Ch. 169, SLA 1959, the director
14 of the division of lands of the Department of Natural Resources
15 is hereby authorized to make or provide for the making of such
16 surveys as may be required for the transfer of tide and submerged
17 lands to such municipal corporation, and as may be required for
18 subsequent conveyance of such tide and submerged lands by the muni-
19 cipal corporation to occupants of those lands who hold preference
20 rights. When such application by the municipal corporation is
21 accepted, the governing body of the municipal corporation shall
22 execute a contract on a form approved by the attorney general pro-
23 viding for such survey under the sole management and supervision
24 of the director and for repayment according to the provisions of
25 this Act.

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Sec. 2. The survey herein provided for shall define the
outside boundary of the lands to be conveyed to the municipal
corporation and shall, on the same or separate plats, show all
structures and improvements thereon and the boundaries of each tract

1 occupied or developed, together with the name of the owner or
2 claimant thereof, and shall contain sufficient data to permit
3 preparation of adequate legal descriptions of the tracts to be
4 conveyed. The plats shall provide like information as to all
5 tracts adjoining the outside boundary of the lands to be conveyed
6 to the municipal corporation. A sketch plat, sufficient for its
7 purpose in the opinion of the director, shall indicate the bound-
8 aries of each occupied or developed tract as determined by the
9 governing body of such municipal corporation and the sketch plat
10 shall be prepared and submitted to the director before actual
11 surveying shall begin. Nothing contained in this Act and nothing
12 contained in any plat or sketch showing interior subdivision of
13 the lands to be conveyed to the municipal corporation shall be
14 construed as a determination of any preference right, nor shall it
15 prohibit adjustment and re-survey of such interior subdivision.

16 Sec. 3. Monies shall be appropriated from the general fund
17 in an amount to be determined from time to time by the legislature
18 to facilitate such work. Accounting of all costs and expenses
19 relative to the surveys provided for in this Act shall be made to
20 the municipal corporation by the director periodically and a final
21 accounting shall be made upon patent of the lands to the municipal
22 corporation. Costs and expenses chargeable to the city shall
23 include the actual amount expended for the survey and a reasonable
24 allocation of overhead, travel and equipment expense. The total
25 amount of such costs and expenses shall be repaid to the fund
26 through the director by the municipal corporation for whom the
27 survey was made, with interest at 5 per cent per annum from the
28 date of patent. The actual cost of survey of each interior subdivi-
29 sion shall be determined by the director. As to tracts conveyed

1 to a preference right holder, the state shall be reimbursed by the
2 municipal corporation in the amount of the survey costs of that
3 tract as determined by the director within 30 days after the
4 transfer of each tract. As to tracts conveyed, leased or otherwise
5 disposed of by the municipal corporation, the fund shall be reim-
6 bursed by the municipal corporation in an amount equal to 90 per
7 cent of the gross proceeds of such sale, lease or other disposal
8 of each tract until the total amount of the costs and expenses
9 of such survey, with interest, due the state has been paid, and
10 such total amount, with interest, shall be reimbursed to the state
11 within five years from the date of patent.

12 Sec. 4. Conveyances by the municipal corporation to a
13 preference right holder, or any other conveyance, lease, or
14 disposal by the municipality hereunder shall be in accordance with
15 the provisions of Ch. 169, SLA 1959, except as otherwise provided
16 for herein.

17 Sec. 5. The commissioner of natural resources, upon recom-
18 mendation of the director, may establish reasonable procedures
19 and make and promulgate reasonable rules and regulations necessary
20 to carry out the provisions of this Act.

21 Sec. 6. This Act takes effect on the day after its passage
22 and approval, or on the day it becomes law without such approval.
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