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Introduced: 1/27/65  
Referred: Resources and  
Local Government

1 IN THE HOUSE

BY MESSRS. TILLION AND  
BOARDMAN

2 HOUSE BILL NO. 20

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the transfer of state  
7 lands to organized boroughs."

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

9 \* Section 1. AS 07.10.150 is repealed and re-enacted to read:

10 Sec. 07.10.150. STATE LANDS. An organized borough may  
11 select up to 10 per cent of the vacant, unappropriated, unre-  
12 served state lands located within the borough boundaries.  
13 Tide and submerged lands lying seaward of state, borough, or  
14 private uplands shall also be available for selection by the  
15 borough. Lands selected shall be subject to all valid exist-  
16 ing rights.

17 \* Sec. 2. AS 07.10.160 is repealed and re-enacted to read:

18 Sec. 07.10.160. SELECTION PROCEDURE. (a) Except as  
19 otherwise provided in this section, selection procedures shall  
20 be established by regulations promulgated by the Department of  
21 Natural Resources in conformance with AS 44.62.

22 (b) Selections by the borough shall be adjudicated and  
23 when tentatively approved shall be formally recognized by  
24 decision and noted in the records of the division of lands.  
25 Initially, upon tentative approval by the director of the  
26 division of lands, the lands selected shall be managed by the  
27 division for the benefit of the borough, subject to the  
28 direction of the borough assembly in the same manner as  
29 management of university lands are controlled by the board of

1 regents under AS 38.05.030. Land classifications, leases,  
2 sales or other disposals shall only be made with the approval  
3 of the borough assembly. Land receipts, minus the direct  
4 costs of appraisal, survey, advertising and sale, shall be  
5 credited to the account of the borough through the Department  
6 of Revenue.

7 (c) When a borough is ready to accept full management of  
8 any or all of its selected lands and has adopted ordinances  
9 consistent with AS 38.05, the lands shall be surveyed at  
10 borough expense and patented to the borough. Upon patent,  
11 leases, permits, sale contracts and other pertinent records  
12 shall be transferred to the borough. No transfers to the  
13 borough shall adversely affect valid existing rights.

14 (d) To preserve the integrity of timber management units,  
15 timber lands shall be perpetuated under the management of the  
16 state. Nothing in this section shall prevent reclassifica-  
17 tion by state and borough agreement.

18 (e) Mineral rights and the management of mineral rights  
19 shall be retained by the state and administered under the pro-  
20 visions of AS 38.05, with due consideration of surface values.  
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