

Original Sponsors: Messrs. Jackson,  
LeFevre, McCombe, Orbeck, Sheldon,  
Taylor and Wold

Offered: 3/29/65  
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 238

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act empowering and directing the direct-  
7 or of the division of lands, Department of  
8 Natural Resources, to lease certain real  
9 property to Pioneer Memorial Park, Inc.,  
10 an Alaska nonprofit corporation, for a  
11 limited use; and providing for an effective  
12 date."

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

14 \* Section 1. The Legislature finds that it is in the best  
15 interests of the state to convey certain lands in the Fairbanks  
16 Recording District to Pioneer Memorial Park, Inc., under certain  
17 unique conditions.

18 \* Sec. 2. The Legislature further finds that a conveyance  
19 which would be satisfactory in this situation could not be made  
20 under the existing general sale or leasing laws, and that any  
21 reasonable general sale and leasing laws which the Legislature  
22 might enact, and which would be acceptable in the vast majority  
23 of sale or leasing situations, would necessarily be, like the  
24 existing general laws, too restrictive or inapplicable in this  
25 situation, and would not provide for the multiple and special  
26 uses which are present in this situation.

27 \* Sec. 3. The Legislature further finds that the instant  
28 situation is of a rare and unique nature, and that the necessary  
29 and desirable conveyance can be accomplished only by a special

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1 act of the Legislature.

2 \* Sec. 4. The director of the division of lands of the  
3 Department of Natural Resources shall offer, by noncompetitive  
4 lease, to Pioneer Memorial Park, Inc., an Alaska nonprofit cor-  
5 poration, the following described real property in the Fairbanks  
6 Recording District:

7 A parcel of land located within section 9, T. 1 S., R. 1 W.,  
8 Fairbanks Meridian, consisting of: all and the whole of  
9 section Lot 12, of said section 9, and that portion of the  
10 SW 1/4 SW 1/4 of said section 9 which lies north of the north  
11 right-of-way line of Airport Road, said right-of-way being  
12 50 feet on either side of said road center line, all of the  
13 above said land containing 44.85 acres, more or less.

14 \* Sec. 5. The lease shall be for a term of 55 years and for a  
15 nominal rental, conditioned upon the use of the land as a site of  
16 a pioneer park which is to include a facility for the preservation  
17 and display of historical items for the benefit of all Alaskans,  
18 students and tourists. The director may impose limitations in  
19 the lease which will ensure that the use of the land will be con-  
20 sistent with this basic purpose and in the best interest of the  
21 state. The lease may provide for a limited number of profit-  
22 making concessions, which will not detract from the primary use  
23 of the land as a pioneer park, and for subleases.

24 \* Sec. 6. The lease shall be granted only on the condition  
25 that Pioneer Memorial Park, Inc., immediately sublease the  
26 property to 67 North, a nonprofit Alaska corporation, or its suc-  
27 cessor, for use as a site for the 1967 centennial exposition and  
28 celebration. The term of the sublease shall be for as long as is  
29 necessary to accomplish this purpose, but not to exceed five

1 years. The sublease may provide for a rental not to exceed one  
2 per cent annually of the fair market value of the property, ex-  
3 cluding improvements, as determined by the director, and shall  
4 provide for construction, at no expense to Pioneer Memorial Park,  
5 Inc., of at least one structure suitable for use as a permanent  
6 exhibit hall for the pioneer park. The sublease shall provide  
7 that the property be returned to Pioneer Memorial Park, Inc., in  
8 a condition suitable for its use as a pioneer park. The sublease  
9 shall be subject to approval by the director, who may require  
10 other provisions which are in the best interest of the state.

11 \* Sec. 7. (a) Nothing in this Act shall prevent the director  
12 from including any provision in the lease or requiring any pro-  
13 vision in a sublease which he considers to be in the best interest  
14 of the state.

15 (b) The director may agree with the Board of Regents  
16 of the University of Alaska that the Board of Regents may exer-  
17 cise any or all of the powers vested in the director by the lease.

18 \* Sec. 8. All transfers and management agreements concerning  
19 the property described in sec. 4 of this Act, made by or between  
20 state agencies, including the University of Alaska, are revoked  
21 and terminated.

22 \* Sec. 9. The director shall offer the lease within a reason-  
23 able time after this Act takes effect.

24 \* Sec. 10. This Act takes effect on the day after its passage  
25 and approval or on the day it becomes law without such approval.  
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