

Introduced: 2/17/66
Referred: Resources
and Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 262

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to prospecting permits
7 and locations on state shorelands, tide-
8 lands, and submerged lands; and providing
9 for an effective date."

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

11 * Section 1. AS 38.05.250(a) is amended to read:

12 Sec. 38.05.250. TIDE AND SUBMERGED LANDS. (a) The
13 exclusive right to prospect for deposits of minerals sub-
14 ject to secs. 185 - 275 of this chapter in or on tide and
15 submerged state lands may be granted by a permit issued by
16 the director. Permits shall be granted to the first
17 qualified applicant. No permit shall include an area larger
18 than 2,560 acres, subject to the rule of approximation.

19 [NO PERSON MAY ACQUIRE OR HOLD OFFSHORE PROSPECTING PERMITS
20 ON SUBMERGED LANDS EXCEEDING THE AGGREGATE OF 5,120 ACRES.]

21 Lands subject to a prospecting permit shall be as compact
22 in form as possible taking into consideration the area
23 involved. The term of the permit shall be 10 [TWO] years
24 [AND A SINGLE EXTENSION FOR NOT MORE THAN TWO YEARS MAY BE
25 GRANTED BY THE DIRECTOR FOR GOOD CAUSE SHOWN]. Prospecting
26 permits shall be conditioned upon payment of rental against
27 which credit shall be given for useful expenditures on land
28 covered by the permit or group of contiguous permits under
29 common ownership or assignment. The rental shall be \$1.00

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1 per acre for the first two-year period of the permit, pay-
2 able at the end of the period, and \$1.00 per acre for each
3 year thereafter, payable at the end of each year. No
4 minerals from lands under a prospecting permit may be mined
5 and marketed or used, except for limited amounts necessary
6 for sampling or testing.

7 * Sec. 2. Permits issued under AS 38.05.250 that are in
8 effect on the effective date of this Act may, if the director
9 finds that the permit holder has used due diligence in prospecting
10 during the initial term, and subject to the director's approval,
11 be wholly or partially converted to a permit or permits provided
12 for under sec. 1 of this Act, but the term of the newly issued
13 permit or permits shall date from the effective date of the
14 original permit.

15 * Sec. 3. AS 38.05.275 is repealed and re-enacted to read:

16 Sec. 38.05.275. RECOGNITION OF LOCATIONS. Mining
17 locations made on state lands, including shorelands, tide-
18 lands or submergedlands, or state selected lands, pursuant
19 to secs. 185 - 280 of this chapter or in the manner described
20 in AS 27.10.010 - 240 acquire for the locator mining rights
21 under secs. 185 - 280 of this chapter, subject to existing
22 claims and to any denial of or restriction in the tentative
23 approval of state selection or the patent of the lands to
24 the state. If shorelands, tidelands or submerged lands are
25 included in a mining location or within the projected
26 boundaries of a mining location made in accordance with this
27 section the locator thereof is required to file a certificate
28 of location with the Division of Lands within ninety days
29 following the date of posting the notice of location, in

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addition to filing a certificate of location as required by
sec. 195 of this chapter. The certificate of location must
identify the position of the mining location in the system
of rectangular or protracted surveys.

* Sec. 4. This Act takes effect on the day after its passage
and approval or on the day it becomes law without such approval.