

Introduced: 4/30/80  
Referred: Resources and  
Judiciary

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 SENATE BILL NO. 581

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the sale of state land to a holder  
7 of a valid mining claim."

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

9 \* Section 1. AS 38.05 is amended by adding a new section to read:

10 Sec. 38.05.64. SALES TO HOLDERS OF MINING CLAIMS. (a) An indivi-  
11 dual who has established a mining claim on state land is entitled to  
12 purchase the surface estate to not more than five acres of land within  
13 the boundaries of his mining claim if he performed labor on the mining  
14 claim each year for five consecutive years.

15 (b) To purchase land under this section, the holder of a mining  
16 claim shall submit to the department a survey of the land and a deposit  
17 equal to five percent of the fair market value of the land as determined  
18 by the director. A contract of sale with the terms and conditions  
19 provided in AS 38.05.065(b) shall be prepared and signed by the director  
20 and submitted to the holder of the mining claim for execution not later  
21 than 30 days after receipt of the survey and deposit from the holder of  
22 the mining claim. The discount provided in AS 38.05.058 applies to  
23 sales of land under this section. The director shall give public notice  
24 of a sale under this section in the same manner specified for public  
25 notice of an auction sale under AS 38.05.345(b).

26 (c) If a mining claim is held jointly by two or more individuals,  
27 the individuals may jointly exercise the right to purchase land under  
28 this section or they may agree in writing which of them is entitled to  
29 purchase land under this section.

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(d) A holder of a mining claim which is located within the boundaries of a state park, game refuge, critical habitat area, recreation area or other special purpose site established by the legislature under art. VIII, sec. 7, of the state constitution may not purchase land under this section unless his mining claim was established before the special purpose site was established by law.

(e) In this section,

(1) "individual" means a natural person; and

(2) "mining claim" means a mining property established by location under AS 38.05.185 - 38.05.280 and does not include a mineral lease.