

Introduced: 3/11/87
Referred: Community & Regional
Affairs, Resources and Finance

wo0557h

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

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HOUSE BILL NO. 176

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act authorizing the Department of Community and
Regional Affairs to accept, in trust, land conveyed
by the federal townsite trustee; and providing for an
effective date."

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

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* Section 1. AS 44.47.150 is amended to read:

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Sec. 44.47.150. VILLAGE LAND CONVEYED IN TRUST. (a) The commissioner is designated to accept, administer, and dispose of land conveyed to the state in trust (1) by village corporations under 43 U.S.C. 1613(c)(3) (sec. 14(c)(3) of the Alaska Native Claims Settlement Act) for the purposes specified in that section, and (2) by the townsite trustee of the United States Department of the Interior, which is located in patented federal townsites or which is the subject of an application for patent under the Acts of March 3, 1891 (former 43 U.S.C. 732) or May 25, 1926 (former 43 U.S.C. 733 -- 736). The commissioner may not accept land in a village that has a municipal corporation. The commissioner shall credit land accepted from the federal townsite trustee toward the conveyance requirement of the appropriate village corporation under 43 U.S.C. 1613(c)(3) (sec. 14(c)(3) of the Alaska Native Claims Settlement Act).

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(b) Transfer of land by sale, lease, right-of-way, easement, or permit, including transfer of surface resources, may be made by the commissioner only after approval of an appropriate village entity such as the traditional council, a village meeting, or a village

1 referendum. This approval must [SHALL] be by resolution filed with
2 the department.

3 (c) Within one complete state fiscal year after the incorpora-
4 tion of a municipality in the village or of a municipality which
5 includes all or part of the village, land acquired under this section
6 must [SHALL] be conveyed without cost to the municipality, and the
7 municipality succeeds [SHALL SUCCEED] to all the entrusted interest in
8 the land.

9 (d) Separate accounts must [SHALL] be maintained in the name of
10 each village for the land, including the revenues from the land,
11 acquired [FROM EACH VILLAGE CORPORATION] under this section, and,
12 within 90 days after [OF] the close of each state fiscal year, a
13 statement of the account for each village must [MUNICIPALITY SHALL] be
14 prepared by the commissioner and be made available to the village and
15 to the public upon request.

16 (e) Upon the conveyance of land to a municipality under this
17 section, the commissioner shall account to the municipality for all
18 profits, including interest from the land. The [, AND THE] municipali-
19 ty may then request that the governor submit a request to the legis-
20 lature for an appropriation for the amount due the municipality [IT].

21 (f) A title or interest to lands acquired by the department
22 under this section may not be acquired by adverse possession or pre-
23 scription.

24 (g) For the purposes of this section, "municipality" [THE TERM
25 MUNICIPALITY] includes only first and second class cities incorporated
26 under the laws of the state.

27 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).