

**SENATE CS FOR HOUSE BILL NO. 462(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION**

BY THE SENATE RESOURCES COMMITTEE

**Offered: 5/2/94
Referred: Rules**

Sponsor(s): REPRESENTATIVES THERRIAULT, Kott

A BILL

FOR AN ACT ENTITLED

1 "An Act repealing certain provisions of the laws, other than those in the Alaska
2 Land Act, relating to recording requirements, labor and improvement requirements,
3 and size requirements for mining claims and providing for the suspension or
4 waiver of state annual mining labor requirements when the federal government
5 has suspended or waived federal annual mining labor requirements administratively
6 or by statute; and providing for an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * Section 1. AS 27.10.060 is amended to read:

9 Sec. 27.10.060. EFFECT OF FAILURE TO RECORD [AND LATE
10 RECORDING]. Failure to record the certificate of location within the required 90
11 days constitutes an abandonment of the claim and the ground is open to location.
12 [HOWEVER, RECORDATION AFTER THE 90 DAY PERIOD BUT BEFORE THE
13 GROUND IS LOCATED BY ANOTHER, RENEWS THE LOCATION AND SAVES

1 **THE RIGHTS OF THE ORIGINAL LOCATOR.]**

2 * **Sec. 2.** AS 27.10.150(c) is amended to read:

3 (c) If the general laws of the United States requiring annual labor upon mining
4 claims in Alaska are suspended or waived, administratively or by statute, the laws
5 of the state requiring annual labor under this section upon mining claims are likewise
6 suspended or waived upon the same terms and conditions.

7 * **Sec. 3.** AS 27.10.170 is amended to read:

8 Sec. 27.10.170. EFFECT OF RECORDING [AND OF FAILURE TO
9 RECORD] AFFIDAVIT OF LABOR OR IMPROVEMENTS. An affidavit recorded
10 under AS 27.10.160 is prima facie evidence of the performance of the work or of
11 making the improvements stated in it. [IF THE ASSESSMENT WORK AFFIDAVIT
12 IS NOT RECORDED WITHIN SIX MONTHS AFTER THE CLOSE OF THE
13 ASSESSMENT WORK YEAR THE CLAIM IS ABANDONED AND IS SUBJECT
14 TO RELOCATION BY ANOTHER PERSON. HOWEVER, COMPLIANCE WITH
15 AS 27.10.010 - 27.10.070 AND 27.10.150 - 27.10.190 BEFORE A RELOCATION
16 SAVES THE RIGHTS OF THE LAST LOCATOR, CLAIMANT OR OWNER OF A
17 FORFEITED CLAIM. IF A CLAIM IS NOT RELOCATED BY ANOTHER
18 PERSON WITHIN ONE YEAR AFTER A FORFEITURE, THE LAST LOCATOR,
19 CLAIMANT OR OWNER OF THE FORFEITED CLAIM MAY RETURN TO THE
20 FORFEITED CLAIM AND RELOCATE IT AS THOUGH IT HAD NEVER BEEN
21 LOCATED.]

22 * **Sec. 4.** AS 27.10.110 and 27.10.120 are repealed.

23 * **Sec. 5.** The amendment to AS 27.10.150(c), made in sec. 2 of this Act, is retroactive to
24 August 31, 1993, subject to all valid existing rights.

25 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).