

aggregate area so classified exceeds 640 acres, the locator shall have a preference right to a lease, such lease to be subject to such reasonable conditions as may be necessary to protect the surface for its classified use.

**Sec. 20. Lands of Department of Public Works.** Subsec. (b) of Sec 3, Article XIII, Ch. 169, SLA 1959, is amended to read as follows:

(b) The provisions of this Act shall not apply to any power, duty or authority now or in the future granted to the Alaska Department of Public Works in the name of the state, to acquire, use, lease, dispose of, or exchange real property, or any interest therein; provided, that any lands assigned by the Division of Lands to the Department of Public Works shall be returned to the management of the Division of Lands when such lands are no longer needed for the purposes assigned.

**Sec. 21. Exchange of State Lands.** Sec. 3, Subsec. (a), Article XIII, Ch. 169, SLA 1959 is amended to read as follows:

(a) The sale, lease or other disposal of University lands shall be made by the Commissioner in accordance with

the provisions of this Act. State lands may be exchanged for University lands. No sale, lease, exchange or other disposal of University lands shall be made without the approval of the Board of Regents of the University of Alaska.

**Sec. 22. Collusive Bidding: Hindering Bidding.** Sec. 3, Article XIII, Ch. 169, SLA 1959, is amended by the addition of a new subsection to read as follows:

(e) Whoever bargains, contracts, or agrees, or attempts to bargain, contract, or agree with another that such other shall not bid freely upon or purchase any parcels of land of the State of Alaska offered at public sale; or whoever, by intimidation, combination, or unfair management, hinders, prevents, or attempts to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale shall be fined not more than One Thousand Dollars (\$1,000) or imprisoned not more than one (1) year, or both.

**Sec. 23. Effective Date.** This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved March 30, 1960

## CHAPTER 62

### AN ACT

**Levying an additional tax on motor fuel; and providing for an effective date.**

(H.B. 268)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. There is hereby levied a tax of two cents per gallon on all motor fuel sold and delivered, or otherwise transferred within the State of Alaska.

Sec. 2. The tax levied by this Act does not apply to fuel used (1) to operate aircraft, (2) to operate watercraft of all descriptions, or (3) to fuel used in a foreign country on which duty is paid when such fuel is sold and delivered in Alaska for non-highway use in a foreign country.

Sec. 3. The tax levied by this Act is in

addition to the tax levied in Sec. 48-5-2, ACLA 1949 as amended.

Sec. 4. The tax levied by this Act shall be administered and collected in the same manner as the tax levied in Sec. 48-5-2, ACLA 1949, as amended, except receipts from said tax will be paid into the highway fuel tax account in the state general fund as established by Ch. 20, SLA 1960. The penalties established in that section shall also apply.

Sec. 5. Any person who uses motor fuel for the purpose of operating any internal combustion engine not used in nor in conjunction with any motor vehicle licensed to be operated over or along any

of the public highways, roads, trails, and streets, and as the motive power thereof, upon which the motor fuel tax levied by this Act has been paid, shall be entitled

to and shall receive a refund of the two cent per gallon tax levied by this Act.

Sec. 6. This Act shall take effect April 1, 1960.

Approved March 30, 1960

## CHAPTER 63

### AN ACT

**Levying an additional tax on motor fuel used by watercraft; and providing for an effective date.**

(H.B. 269)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. There is hereby levied a tax of one cent per gallon on all motor fuel sold and delivered, or otherwise transferred, within the State of Alaska and which is used to propel boats and watercraft of all descriptions.

Sec. 2. The tax levied by this Act is in

addition to the tax levied in Sec. 48-5-2, ACLA 1949 as amended.

Sec. 3. The tax levied by this Act shall be administered and collected in the same manner as the tax levied in Sec. 48-5-2, ACLA 1949 as amended, except the receipts from said tax shall be paid into the general fund of the state.

Sec. 4. This Act shall take effect on April 1, 1960.

Approved March 30, 1960

## CHAPTER 64

### AN ACT

**Relating to sale of real property for purposes of distribution; and amending sections 61-14-5 and 61-14-6, ACLA 1949.**

(H.B. 379)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. Sec. 61-14-5, ACLA 1949, is amended to read as follows:

**Sec. 61-14-5. Sale of Real Property: Realty Specially Devised.** When the proceeds of the sale of personal property have been exhausted, and the charges, expenses, and claims specified in section 61-14-2 have not all been satisfied, the executor or administrator shall sell the real property of the estate, or so much thereof as may be necessary for that purpose. When it appears to the satisfaction of the court that it would be for the best interest of the heirs, devisees or legatees that all or a part of the real property of the estate be sold for the purpose of distribution, the executor or administrator shall sell the

real property of the estate or so much thereof as may be appropriate for that purpose. The court may order that the real property or any part thereof be sold for the above purposes without reference to whether or not the personal property has been sold if it appears to the satisfaction of the court that it is for the best interest of the estate or of the heirs, devisees or legatees thereof. If any of such real property has been specially devised, it is exempt from the operation of the order of sale in the same manner as personal property specially bequeathed.

Sec. 2. Sec. 61-14-6, ACLA 1949 is amended to read as follows:

**Sec. 61-14-6. Petition.** The petition for the sale of real property shall state the amount of sales of personal prop-