

sec. (5)a of Sec. 2, Subsec. (9) of Sec. 2, Sec. 5 and Sec. 33 of Ch. 166, SLA 1960; and providing for an effective date.

(H.B. 212)

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

Section 1. Subsec. (2) of Sec. 2, Ch. 166, SLA 1960, is amended to read as follows:

(2) The term "commission" means the Public Service Commission of the State of Alaska or its designated representative.

Sec. 2. Subsec. (5)a. of Sec. 2, Ch. 166, SLA 1960 is amended to read as follows:

a. The term "common carrier" means any person who undertakes to transport property for the general public by motor vehicle for compensation, whether over regular or irregular routes, or regular or irregular schedules, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies.

Sec. 3. Subsec. (9) of Sec. 2, Ch. 166, SLA 1960 is amended to read as follows:

(9) The term "exempt carrier" means any person operating a vehicle exempted from certain provisions of this Act under section 5 hereof.

Sec. 4. Sec. 5, Ch. 166, SLA 1960 is amended to read as follows:

Sec. 5. **Exempt Vehicles.** The provisions of this Act, except where specifically otherwise provided, shall not apply to:

(1) Motor vehicles operated exclusively in the transportation of United States mail or in the transportation of newspapers or periodicals;

(2) Motor vehicles owned and operated by the United States or by the State of Alaska or any borough, city, town, or

municipality therein, or by any department of them or any of them, except when such vehicles are used to transport property of the general public for compensation in competition with other common carriers subject to the Act and further provided that regulation of such vehicles operated by the United States is permitted by the laws of the United States.

(3) Motor vehicles which are operated in connection with a business or activity in which the transportation of property in competition with established common carriers, contract carriers, or private carriers is not a regular or frequently recurring use of said vehicles, and in which the cost of transportation of such property is not included in any charge or fee made for the service rendered or products sold by said business or activity.

Sec. 5. Sec. 33, Ch. 166, SLA 1960 is amended to read as follows:

Sec. 33. **Weight Fees.** In addition to all other fees to be paid by him, every "common carrier," "contract carrier," and "private carrier" shall pay each year for each motor truck or truck tractor owned or operated by him, based upon the maximum gross unladen weight thereof as set by the carrier in his application for his regular license plates, the following fees:

12,000 pounds or less .....	\$25.00
12,000 pounds and not over	
18,000 pounds .....	\$40.00
18,000 pounds and over .....	\$50.00

Sec. 6. This Act takes effect immediately upon its passage and approval or upon its becoming law without such approval.

Approved April 18, 1961

## CHAPTER 122

### AN ACT

**To provide for the construction of low standard roads giving access to subdivided Alaska lands; providing for payment for construction of such roads by means of land credit**

certificates; providing for regulation by the Commissioner of Natural Resources; and providing for an effective date.

(H.B. 217)

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

Section 1. For the purpose of gaining access to subdivided Alaska lands which are programmed for surface disposal, and in order to provide such roads at the least possible expense, the Director of the Division of Lands is authorized to contract with private persons for the construction of roads to and on such lands lying not more than six (6) miles from existing roads or highways. Access roads constructed pursuant to this Act shall be of low standard, not necessarily suitable for all weather use, and the state shall be under no obligation to maintain such roads. All buildings shall be constructed at least one hundred and fifty (150) feet away from the center line of such roads. Contracts for the work shall be awarded to the lowest responsible bidder qualified to contract with the state.

Sec. 2. Payment for construction shall be made in the form of freely transferrable land credit certificates which may be ap-

plied toward the purchase or lease of any Alaska lands under the jurisdiction of the Division of Lands, except lands belonging to Alaska which have been obtained by escheat, purchase, or any means other than by general land grants including tide, submerged and shore lands. Such certificate shall be valid for a period of twenty (20) years after issue, and after the expiration of that period the holders thereof may commence no action against the state or any person based upon such certificates. The methods of and restrictions on disposal of lands and resources now or hereafter established by law or regulation shall in no way be affected by the use of credit certificates.

Sec. 3. The Commissioner of the Department of Natural Resources is authorized to promulgate reasonable rules and regulations necessary to carrying out the purposes of this Act.

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

Approved April 18, 1961

## CHAPTER 123

### AN ACT

**Relating to mining rights; repealing and re-enacting Art. IX, Ch. 169, SLA 1959, as amended by Sec. 19, Ch. 61, SLA 1960; providing for the acquisition, transfer, continuance and termination of rights to explore for, locate, and extract certain minerals on Alaska lands; providing qualifications of those entitled to mining rights; providing for certain uses of the surface; providing for the recognition of certain locations; and providing for an effective date.**

(H.B. 219)

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

Section 1. Art. IX, Ch. 169, SLA 1959, as amended by Sec. 19, Ch. 61, SLA 1960, is hereby repealed and re-enacted to read as follows:

#### Article IX

##### Mining Rights

Section 1. **General.** The acquisition and continuance of rights in and to deposits on Alaska lands of minerals which on January 3, 1959, were subject to loca-

tion under the mining laws of the United States shall be governed by this article. Nothing herein shall be construed to affect the law pertaining to the acquisition of rights to mineral deposits owned by any other person or government. The Director, with the approval of the Commissioner, shall determine those lands from which mineral deposits may be mined only under lease, and, subject to the limitations of Sec. 1, Art. III of this Act, those lands which shall be closed to mining.

The failure on the part of a mining lessee or a locator to comply strictly