

lation shall also be deemed to have designated the State of Alaska as a proper party in any such action before any court. It shall not be necessary to name any department, agency, board, commission or public officer of this state as an additional party to the action. In all of the

foregoing cases the Department of Law is authorized to bring, prosecute, or defend any action in any court in the name of the State of Alaska.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 12, 1961

CHAPTER 69

AN ACT

Relating to the transfer of tide and submerged lands; and providing for an effective date.

(S.B. 10)

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

Section 1. Upon application by any municipal corporation with a population of less than 5,000 persons according to the latest U. S. census entitled to a conveyance of tide and submerged lands, pursuant to Art. III, Sec. 5(3) (a), Ch. 169, SLA 1959, the director of the division of lands of the Department of Natural Resources is hereby authorized to make or provide for the making of such surveys as may be required for the transfer of tide and submerged lands to such municipal corporation, and as may be required for subsequent conveyance of such tide and submerged lands by the municipal corporation to occupants of those lands who hold preference rights. When such application by the municipal corporation is accepted, the governing body of the municipal corporation shall execute a contract on a form approved by the attorney general providing for such survey under the sole management and supervision of the director and for repayment according to the provisions of this Act.

municipal corporation. A sketch plat, sufficient for its purpose in the opinion of the director, shall indicate the boundaries of each occupied or developed tract as determined by the governing body of such municipal corporation and the sketch plat shall be prepared and submitted to the director before actual surveying shall begin. Nothing contained in this Act and nothing contained in any plat or sketch showing interior subdivision of the lands to be conveyed to the municipal corporation shall be construed as a determination of any preference right, nor shall it prohibit adjustment and re-survey of such interior subdivision.

Sec. 2. The survey herein provided for shall define the outside boundary of the lands to be conveyed to the municipal corporation and shall, on the same or separate plats, show all structures and improvements thereon and the boundaries of each tract occupied or developed, together with the name of the owner or claimant thereof, and shall contain sufficient data to permit preparation of adequate legal descriptions of the tracts to be conveyed. The plats shall provide like information as to all tracts adjoining the outside boundary of the lands to be conveyed to the

Sec. 3. Monies shall be appropriated from the general fund in an amount to be determined from time to time by the legislature to facilitate such work. Accounting of all costs and expenses relative to the surveys provided for in this Act shall be made to the municipal corporation by the director periodically and a final accounting shall be made upon patent of the lands to the municipal corporation. Costs and expenses chargeable to the city shall include the actual amount expended for the survey and a reasonable allocation of overhead, travel and equipment expense. The total amount of such costs and expenses shall be repaid to the fund through the director by the municipal corporation for whom the survey was made, with interest at 5 per cent per annum from the date of patent. The actual cost of survey of each interior subdivision shall be determined by the director. As to tracts conveyed to a preference right holder, the state shall be reimbursed by the municipal corporation in the amount of the survey costs of that tract as determ-

ined by the director within 30 days after the transfer of each tract. As to tracts conveyed, leased or otherwise disposed of by the municipal corporation, the fund shall be reimbursed by the municipal corporation in an amount equal to 90 per cent of the gross proceeds of such sale, lease or other disposal of each tract until the total amount of the costs and expenses of such survey, with interest, due the state has been paid, and such total amount, with interest, shall be reimbursed to the state within five years from the date of patent.

Sec. 4. Conveyances by the municipal corporation to a preference right holder,

or any other conveyance, lease, or disposal by the municipality hereunder shall be in accordance with the provisions of Ch. 169, SLA 1959, except as otherwise provided for herein.

Sec. 5. The commissioner of natural resources, upon recommendation of the director, may establish reasonable procedures and make and promulgate reasonable rules and regulations necessary to carry out the provisions of this Act.

Sec. 6. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 13, 1961

CHAPTER 70

AN ACT

Relating to negligent driving; amending Sec. 50-5-4(2), ACLA 1949 as added by Ch. 182, SLA 1955.

(S.B. 62)

Section 1. Sec. 50-5-4(2), ACLA 1949 as added by Ch. 182 SLA 1955, is amended to read:

(2) It shall be unlawful for any person to operate a motor vehicle in a negligent manner over and along the public highways. To operate in a negligent manner means the operation of a vehicle upon the highways in such a manner as to endanger any persons or property.

The offense of operating a vehicle in a negligent manner shall be considered to be a lesser offense than, but included in,

the offense of operating a vehicle in a reckless manner, and any person charged with operating a vehicle in a reckless manner may be convicted of the lesser offense of operating a vehicle in a negligent manner. Any person convicted of violating the provisions of this Section will be guilty of a misdemeanor.

Any person violating these provisions may be subject to a fine of not more than One Hundred Dollars, and in addition thereto, may, in the discretion of the Court, have his operators' license suspended for not more than one year.

Approved April 13, 1961

CHAPTER 71

AN ACT

Relating to the posting and recording of notices of non-responsibility; repealing and re-enacting Sec. 26-1-4, ACLA 1949.

(S.B. 114)

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

Section 1. Sec. 26-1-4, ACLA 1949 is repealed and re-enacted to read:

Sec. 26-1-4. **Notice of Non-responsibility.** Every building or other improvement mentioned in Sec. 26-1-1, ACLA 1949, constructed upon any lands with the knowledge of the owner or the per-