

son having or claiming any interest therein, is deemed to have been constructed at the instance of the owner or person having or claiming any interest therein, and the interest owned or claimed shall be subject to any lien filed in accordance with the provisions of this code, unless the owner or person having or claiming an interest in the land gives notice within three days after he obtains knowledge of the construction, alteration or repair that he will not be responsible for the same, by posting a notice to that

effect in writing in some conspicuous place upon the land or upon the building or other improvements situated on the land, signed by him in the presence of two attesting witnesses or acknowledged by him before a notary public. The posting of notice shall be attested to by a witness, and an attested or notarized copy of the notice shall be recorded with the recorder of the district in which the land, buildings or other improvements are situated, within three days following the posting of said notice.

Approved April 13, 1961

CHAPTER 72

AN ACT

Relating to the duties of recorders; amending Secs. 1-3 of Ch. 95, SLA 1953; repealing Sec. 4, Ch. 95, SLA 1953; and providing for an effective date.

(S.B. 159)

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

Section 1. Sec. 1 of Ch. 95, SLA 1953, is amended to read as follows:

Section 1. **Purpose.** The purpose of this act is to enable the Department of Natural Resources to accumulate and disseminate information on the status of mining ground in the performance of its prescribed duties.

Sec. 2. Sec. 2 of Ch. 95, SLA 1953, is amended to read as follows:

Section 2. **Reports of Instruments Affecting Mining Properties.** The recorder of each recording district in Alaska shall prepare and forward to the Department of Natural Resources on the first day of each month a copy of each new mining claim, mining leasehold, or prospecting site location certificate, and a report of each other in-

strument affecting title or possession of existing mining properties recorded during the preceding 30-day period.

Sec. 3. Sec. 3 of Ch. 95, SLA 1953, is amended to read as follows:

Section 3. **Duplicate Copies Required.** In order to to facilitate compliance with this Act, any recorder may require persons recording instruments concerning title or possession of mining properties to furnish a correct duplicate copy of any such instrument, which copy may be forwarded by the recorder to the Department of Natural Resource as provided herein.

Sec. 4. Sec. 4 of Ch. 95, SLA 1953, is hereby repealed.

Sec. 5. 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 73

AN ACT

Relating to mining claims; repealing Secs. 47-3-87 and 47-3-89, ACLA 1949; amending Sec. 47-3-90, ACLA 1949; and providing for an effective date.

(S.B. 160)

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

Section 1. Secs. 47-3-87 and 47-3-89, ACLA 1949, are hereby repealed.

Sec. 2. Sec. 47-3-90, ACLA 1949, is amended to read as follows:

§47-3-90. **Location of Claims by Agent or Attorney; Power of Attorney; Form, Acknowledgment and Execution, and Recording; Number of Principals and Claims.** No person shall locate any placer mining claim in Alaska as agent or

attorney for another unless he is duly authorized thereto by a power of attorney in writing; duly acknowledged and executed within four years prior to the date of location, and recorded in the office of the Recorder of the Recording District in which the claim is located. No person shall act as attorney in fact for more than two principals in any one recording district.

Sec. 3. 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 74

AN ACT

Relating to the Alaska Land Act, Ch. 169, SLA 1959, as amended by Ch. 61, SLA 1960; adding a new subsec. (u) to Sec. 2, Art. I; amending the third paragraph of Sec. 10, Art. III; amending Secs. 2, 3 and 4, Art. V; and providing for an effective date.

(S.B. 162)

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

Section 1. **New Definition.** Sec. 2, Art. I, Ch. 169, SLA 1959, as amended by Sec. 1, Ch. 61, SLA 1960, is amended by the addition of a new subsection to read as follows:

(u) "Preference Right Forest Lease" means a lease granted to a lessee whose United States Forest Service term special use permit was cancelled to allow the land under permit to be selected by the state.

Sec. 2. **Notice Requirements.** The third paragraph of Sec. 10, Art. III, Ch. 169, SLA 1959, as amended by Sec. 8, Ch. 61, SLA 1960, is amended to read as follows:

Public notice of grants of permits, rights-of-way and easements under the provisions of Section 7, Article III and of grants of preference right grazing leases and preference right forest leases under Section 2, Article V of this Act shall be as set forth in regulations promulgated by the Commissioner.

Sec. 3. **Preference Right Forest Leases.** Sec. 2, Art. V, Ch. 169, SLA 1959, as amended by Sec. 10, Ch. 61, SLA 1960, is amended to read as follows:

Sec. 2. **Leasing Procedures.** The leasing shall be made at public auction to the highest qualified bidder as shall be determined by the Director; provided however, an aggrieved bidder may appeal to the Commissioner within five days for a review of the Director's determination; and further provided that when a valid existing Federal grazing lease or United States Forest Service term special use permit is cancelled to allow State selection of the area under lease or permit, the lessee or permittee of such lands shall have the preference right to lease such lands without competitive bidding upon terms as favorable to the lessee as those contained in the cancelled Federal lease or permit. The leasing shall be conducted by the Director, or his representative, and the successful bidder shall deposit the first year's rental, or such portion thereof as the Commissioner may require, in cash or by certified check, cashier's check, or money order, in accordance with his bid, whereupon the Director or his representative shall immediately issue a receipt containing a description of the land or interest therein leased, the price bid and terms of the lease, which receipt shall be acknowledged in writing by the bidder. A lease, on a form ap-