

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 Secs. 47-3-87 and 47-3-89, ACLA 1949, are hereby repealed.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

proved by the Attorney General, shall be signed by the lessee and upon approval by the Attorney General, shall be signed by the lessee and upon approval by the Commissioner, shall also be signed by the Director. Provided, however, and prior to the signing of the formal lease by the Director, the Commissioner may reject any and all bids for leases when the best interest of Alaska justifies such action.

Sec. 4. Continuity of Federal Payment Schedules. Sec. 3, Art. V, Ch. 169, SLA 1959, as amended by Sec. 11, Ch. 61, SLA 1960, is amended to read as follows:

Sec. 3. Leasing Provisions. The lease shall require advance payment of the annual rent or such portion thereof as the Director, with the approval of the Commissioner, may require, as determined by the accepted bid, provided, however, that preference right lessees of grazing or forest lands will be allowed to follow the payment schedule established in their cancelled Federal lease or permit if they so desire. Such conditions, limitations and terms may also be imposed by the Director, with the approval of the Commissioner, as he shall deem necessary and proper to protect the interests of Alaska. Violations

of any provision of this Act or the terms of the lease shall subject the purchaser to appropriate legal action, including, but not limited to, a forfeiture of the lease. Due notice of all action by the Commissioner or Director affecting the rights of the lease shall be given the lessee.

Sec. 5. Continuity of Federal Terminal Rights. The third paragraph of Sec. 4, Art. V, Ch. 169, SLA 1959, as amended by Sec. 12, Ch. 61, SLA 1960, is amended to read as follows:

If any improvements or chattels, or both, having an appraised value of \$10,000.00 or less, as determined by the Director, are not removed within the time allowed, such improvements or chattels, or both, shall revert to and absolute title shall vest in Alaska; provided, however, that the preference right lessees of grazing or forest lands will be allowed to follow the provisions for removal of improvements upon termination of the lease as authorized in the cancelled Federal lease or permit.

Sec. 6. 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 April 13, 1961

CHAPTER 75

AN ACT

Relating to the award of support in probate amending Sec. 61-12-2, ACLA 1949; and providing for an effective date.

(H.B. 18)

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

Section 1. Sec. 61-12-2, ACLA 1949, is amended to read:

Sec. 61-12-2. Award for Support. After the filing of the inventory, should the deceased have died leaving a widow or minor children, the commissioner, upon such notice as may be by him fixed, upon being satisfied that the funeral expenses, expenses of last illness and of administration have been paid or provided for, and upon petition for that purpose, shall award and set off to the surviving widow or minor children

property of the estate not exceeding the value of \$8,000.00, exclusive of any mortgage or mechanic's, laborer's or other lien upon the property so set off, which property so set off shall include the home and household goods, if any, and all property of deceased exempt from execution, and such award shall be by an order or judgment of the Commissioner and vest the absolute title, and there shall be no further administration upon such portion of the estate so set off and awarded, but the remainder of the estate, if any, shall be settled as other estates. The property thus set apart, if there is a widow, shall by such judg-