

Sec. 4. Operation of the Board. a. The board shall administer the fund and, in so doing, may at its discretion purchase and sell minerals, and locate markets for their sale. The board shall conduct its business according to its judgment as guided by this Act and other applicable laws.

b. The board may make regulations for the conduct of its business pursuant to the Administrative Procedure Act.

c. Meetings of the board may be called by any member of the board. To conduct official business, all members or their delegates shall be present. Decisions of the board require the affirmation of at least two members or their delegates.

d. The board shall keep minutes of its meetings and send certified copies to the governor.

e. An annual report shall be made to the legislature. The report shall be brief, but adequately reflect the disposition of the fund.

f. Members of the board or their delegates receive no additional salary. However, members of the board or their delegates and employees of the Department of Natural Resources shall receive the per diem established by law for other boards and state employees, and necessary transportation expenses if required to travel to conduct business for the board.

Sec. 5. Purchase and Sale of Minerals.

a. Minerals offered for sale by persons engaged in their mining or refining in Alaska may be purchased by the board after the value of the minerals has been determined by the state, and their current market prices have been verified. The purchase price paid by the board may not exceed the current market price, and may be less if agreed upon by the board and the offerer of minerals.

b. The purchase price paid by the board consists of an initial payment and a final payment. To determine the initial payment, the board deducts its estimated disposal and handling costs from the purchase price. The remainder is the initial payment. The board pays the initial payment to the offerer of minerals when it accepts the minerals. The final payment is the difference, if any, between the board's estimated disposal and handling costs and the board's actual disposal and handling costs. The final payment is paid by the board to the person who offered the minerals after the board has sold the minerals and determined its actual disposal and handling costs. The final payment, if any, is subtracted from the money received by the board when the minerals are sold by the board. The remaining part of the money received by the board is deposited in the fund for continuous use. If the market price changes after the board has paid an initial payment and before payment of a final payment so as to cause an unreasonable profit or loss to the fund, the board shall add the unreasonable profit to or subtract the unreasonable loss from the final payment.

c. The board shall purchase only those minerals suitable for resale in a reasonable time at a resale price approximately equivalent to the purchase price.

d. The board shall purchase minerals only when another purchaser is not readily available to make a reasonable offer to purchase the minerals.

Sec. 6. Stockpiling of Minerals. The board may stockpile minerals at any convenient and lawful location in the state. Because of the public nature of this Act and the abundance of unused land in Alaska, the board shall not pay rent or similar fees for stockpile sites.

Approved April 16, 1962

CHAPTER 117

AN ACT

Permitting personal actions against leaseholders for collection of delinquent taxes on their leasehold interests in tax exempt property.

(C.S.H.B. 397)

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

Section 1. Sec. 16-1-121, ACLA 1949, as

amended by Sec. 34, Ch. 174, SLA 1957, is amended to read:

Sec. 16-1-121. **Actions for Collection of**

Tax. Whenever the tax on real property shall not have been paid when due, the councils of municipal corporations may enforce the lien of such tax by the sale of the property assessed, such sale to be made under the special proceeding hereinafter set forth, by order of the superior court of the district wherein the property

assessed is situated. When the tax on a leasehold interest in tax exempt property is not paid when due, municipal corporations may enforce the tax by a personal action against the said delinquent taxpayer brought in the magistrate or superior court, in addition to other remedies available to them to enforce the lien.

Approved April 16, 1962

CHAPTER 118

AN ACT

Relating to proceedings in juvenile cases.

(C.S.H.B. 399)

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

Section 1. Sec. 9, Art. I, Ch. 145, SLA 1957, is repealed and re-enacted to read:

Sec. 9. **Waiver of Jurisdiction.** (1) If a district magistrate court finds at a hearing on a petition that there is probable cause for believing that a minor is delinquent and finds that the minor is not amenable to treatment under this Act, the court shall transfer the case and all papers and records relative to it to the superior court.

(2) When a case is transferred to the superior court under this section, the superior court shall immediately order a de novo hearing to determine whether or not there is probable cause and whether or not the minor is amenable to treatment under this Act.

(3) If the superior court finds at the hearing that there is no probable cause for believing that the minor is delinquent, it shall dismiss the petition. If the superior court finds that there is probable cause and that the minor is amenable to treatment under this Act, it shall return the case to the district magistrate court. If the superior court finds that there is probable cause and that the minor is not amenable to treatment under this Act, jurisdiction of the district magistrate court under this Act is waived and the minor may be prosecuted as if he were an adult.

(4) A minor is unamenable to treat-

ment under this Act if he probably cannot be rehabilitated by treatment under this Act before he reaches 21 years of age. In determining whether or not a minor is unamenable to treatment, the court may consider the seriousness of the offense the minor is alleged to have committed, the minor's history of delinquency, the probable cause of the minor's delinquent behavior, and the facilities available to the division of youth and adult authority for treating the minor.

(5) When a person who has been tried as an adult under this section has completed his sentence and after five years have elapsed, he may petition (or the Department of Health and Welfare may petition for him) the superior court to seal the records of all criminal proceedings against him and all punishments assessed against him, except for traffic offenses, while he was a minor. If the superior court finds that the punishment assessed against the person has had its intended rehabilitative effect, the superior court shall order the record of proceedings and the record of punishments sealed. Sealing the records restores civil rights removed because of a conviction. No person may ever use records so sealed for any purpose.

Sec. 2. Sec. 10(2), Art. I, Ch. 145, SLA 1957, as amended by Sec. 2, Ch. 110, SLA 1960, is repealed and re-enacted to read:

(2) **Judgments and Orders; Appeal.**

(a) The court, at the conclusion of the hearing, shall find and enter a