

by applying to the division of lands, Department of Natural Resources. If, at the time of applying, the lands are classified as noncompetitive, the state shall, upon application, issue a lease covering whatever shorelands are included within the exterior boundaries of the federal lease. If, at the time of applying, the shorelands included in the federal lease are classified as competitive lands, the lands shall be leased by competitive bidding. The competitive lease shall be issued to the federal lessee or his assignee upon payment to the state of an amount equal to the highest bid for the lease, plus the rental for the first year, payment to be made within 10 days after the lessee's or assignee's receipt of written notice from the director of the division of lands of the amount of the highest bid. These leases, whether competitive or noncompetitive, shall carry the

same conditions as an ordinary state lease on the same lands, except that the term of the state lease shall conform to that of the adjoining federal lease, including extended terms, and shall terminate if the federal lease is terminated for any reason. The lease shall provide for annual rental at the rate of \$100 a unit of 640 acres or part thereof of the lands included within the federal lease until agreement is reached between the state and the Secretary of the Interior of the United States, or his authorized representative, as to the actual area of the shorelands included in the federal lease, and as to the apportionment between the state and federal government of the rental theretofore paid under the federal lease.

Sec. 7. AS 38.05.180(f) is repealed.

Approved March 27, 1964

CHAPTER 31

AN ACT

Relating to the classification of state lands.

(S.B. 285)

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

Section 1. AS 38.05.020(b)(1) is amended to read:

(1) establish reasonable procedures and adopt reasonable rules and regulations necessary to carry out this chapter and may, whenever necessary, issue directives or orders to the director to carry out specific functions and duties. All rules and regulations adopted by the commissioner shall be adopted under the Administrative Procedure Act (AS 44.62). Orders by the commissioner classifying lands issued after January 3, 1959, are not required to be adopted under the Administrative Procedure Act (AS 44.62);

Sec. 2. AS 38.05.300 is amended to read:

Sec. 38.05.300. **Classification of Lands.** The director shall make a preliminary classification for surface use of all lands in areas where he considers

it necessary and proper for future development. The classification, together with a land use plan, shall be transmitted to the commissioner for his approval, modification, or rejection. This section does not prevent reclassification of lands where the public interest warrants reclassification, nor does it preclude multiple purpose use of lands whenever different uses are compatible. No state land, water, or land and water area shall, except by act of the state legislature, be closed to multiple purpose use, if the area involved contains more than 640 acres.

Sec. 3. AS 38.05.365(14) is repealed and re-enacted to read:

(14) "school lands" means those rectangular sections 16 and 36 within each township surveyed on or before January 3, 1959, and confirmed and transferred to the State of Alaska upon its admission under sec. 6(k), Alaska Statehood Act, 72 Stat. 339, and any

other lands designated solely for school revenues.

Sec. 4. Sec. 1 of this Act insofar as it

applies to orders classifying lands issued after January 3, 1959, is expressly declared to be retroactive.

Approved March 27, 1964

CHAPTER 32

AN ACT

Relating to lewd or lascivious acts toward children; and providing for an effective date.

(H.B. 239)

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

Section 1. AS 11.15 is amended by adding a new section to read:

Sec. 11.15.134. Lewd or Lascivious Acts toward Children. (a) A person who commits a lewd or lascivious act, including an act constituting another crime, upon or with the body of a child under 16 years of age, intending to arouse, appeal to, or gratify his lust, passions, or sexual desires, or the lust, passions, or sexual desires of the child is punishable by imprisonment for not more than 10 years nor less than one year.

(b) No court may suspend the

sentence of a person convicted of violating (a) of this section until the court obtains a report from a reputable psychiatrist stating the mental condition of the person. No paroling authority may parole a person convicted of violating (a) of this section until the paroling authority receives a report from a reputable psychiatrist stating the mental condition of the person and stating that the person was under observation while confined in prison.

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 March 27, 1964

CHAPTER 33

AN ACT

To provide for the regulation of diplomas.

(H.B. 410)

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

Section 1. AS 14 is amended by adding a new chapter to read:

Chapter 47. Regulation of Educational Institutions.

Article 1. Diplomas.

Sec. 14.47.010. Requirements for Conferring of Diplomas. No person may confer a diploma unless the person meets the requirements established by the department.

Sec. 14.47.020. Establishment of Requirements. In establishing requirements for the conferring of diplomas the department shall enact regulations taking into consideration: (1) course offerings; (2) facilities; (3) financial stability; (4) personnel; (5) operating practices; and (6) admission practices.

Sec. 14.47.030. Hearing and Order on Violations. (a) On the complaint of any person or on its own motion the department may conduct an investigation to determine if the requirements of secs. 10 - 20 of this chapter are being met. If there are grounds for believing