the terms and conditions of the lease to the time of surrender, may avoid further liability for fees thereunder by giving written notice to the Secretary of such surrender. The lease shall specify the length of time of notice, which shall not exceed one year.

(d) Terms for renewal of lease

Each lease shall provide that the lessee may negotiate for renewal of such lease, subject to the provisions of this subchapter, at any time during the final five years of the term of such lease.

(Mar. 4, 1927, ch. 513, § 7, 44 Stat. 1453; Pub. L. 90–403, § 2, July 18, 1968, 82 Stat. 358.)

CODIFICATION

Section was formerly classified to section 471f of Title 48, Territories and Insular Possessions.

AMENDMENTS

1968—Subsec. (a). Pub. L. 90–403, § 2(a), substituted provisions for reasonable term of leases, limited to fifty-five years, and based on all factors relevant to exercise of grazing privileges for prior provisions for twenty year leases, except where land may be required for other than grazing purposes within a ten year period, and for shorter term leases as desired by applicant.

Subsec. (d). Pub. L. 90–403, § 2(b), added subsec. (d).

§ 316g. Grazing fees

(a) The Secretary shall determine for each lease the grazing fee to be paid. Such fee shall—

(1) Be fixed on the basis of the area leased or on the basis of the number and kind of stock permitted to be grazed;

(2) Be fixed, for the period of the lease, as a seasonal or annual fee, payable annually or semi-annually on the date specified in the lease;

(3) Be fixed with due regard to the general economic value of the grazing privileges, and in no case shall exceed such value; and

(4) Be moderate.

(b) If the Secretary determines such action to be for the public interest by reason of (1) depletion or destruction of the range by any cause beyond the control of the lessee, or (2) calamity or disease causing wholesale destruction of or injury to livestock, he may grant an extension of time for making payment of any grazing fee undue any lease, reduce the amount of any such payment, or release or discharge the lessee from making such payment.

(Mar. 4, 1927, ch. 513, § 8, 44 Stat. 1453.)

CODIFICATION

Section was formerly classified to section 471g of Title 48, Territories and Insular Possessions.

§ 316h. Dispositions of receipts

All moneys received during any fiscal year on account of such fees in excess of the actual cost of administration of this subchapter shall be paid at the end thereof by the Secretary of the Treasury to the Territory of Alaska, to be expended in such manner as the Legislature of the Territory may direct for the benefit of public education and roads.

(Mar. 4, 1927, ch. 513, § 9, 44 Stat. 1453.)

CODIFICATION

Section was formerly classified to section 471h of Title 48, Territories and Insular Possessions.

ADMISSION OF ALASKA AS STATE

Admission of Alaska into the Union was accomplished Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85–508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

§ 316i. Assignment of leases

The lessee may, with the approval of the Secretary, assign in whole or in part any lease, and to the extent of such assignment be relieved from any liability in respect of such lease, accruing subsequent to the effective date of such assignment.

(Mar. 4, 1927, ch. 513, § 10, 44 Stat. 1453.)

CODIFICATION

Section was formerly classified to section 471i of Title 48, Territories and Insular Possessions.

§ 316j. Improvements to leasehold

(a) Authorization

The Secretary may authorize a lessee to construct and/or maintain and utilize upon any area included within the provisions of his lease any fence, building, corral, reservoir, well or other improvements needed for the exercise of the grazing privileges of the lessee within such area; but any such fence shall be constructed as to permit the ingress and egress of miners, prospectors for minerals, and other persons entitled to enter such area for lawful purposes.

(b) Removal of improvement upon termination of lease

The lessee shall be given ninety days from the date of termination of his lease for any cause to remove from the area included within the provisions of his lease any fence, building, corral, or other removable range improvement owned or controlled by him.

(c) Payment for improvement upon termination of lease

If such lessee notifies the Secretary on or before the termination of his lease of his determination to leave on the land any improvements the construction or maintenance of which has been authorized by the Secretary, no other person shall use or occupy under any grazing lease, or entry under any public land law, the land on which any such improvements are located until there has been paid to the person entitled thereto the value of such improvements as determined by the Secretary.

(Mar. 4, 1927, ch. 513, § 11, 44 Stat. 1454.)

REFERENCES IN TEXT

The public land laws, referred to in subsec. (c), are classified generally to this title.

CODIFICATION

Section was formerly classified to section 471j of Title 48, Territories and Insular Possessions.

§ 316k. Penalties

Within one year from the date of the establishment of any district the Secretary shall give