

AMENDMENT

#1

DELETE Sec. 4

Create a new preference right under AS 38.05.035

(o) Where there is an active municipal entitlement selection on state land under AS 29.65.010 - 29.65.030 that has a state issued lease and before the decision to approve the municipal entitlement, the director shall grant a preference right to purchase without competitive bid of up to five acres of the state land to an individual who has erected a building approved by a lease on the state land and used the land for bona fide business purposes for 10 or more years under a state lease, if the business produced no less than 25 percent of the total income of the applicant for the 10 years preceding the application to purchase the land. The director shall sell the land at a price determined by the director to represent the current fair market value of the unimproved land determined by appraisal and survey, if not already completed, at the cost of the applicant. If the director determines in a written finding that the purchase of the land would interfere with public use by residents of the area, the director may condition the purchase to mitigate the adverse effects on the public or may reject the application if those effects can not be mitigated. The revenue from the purchase of the parcel will be given to the municipality if the municipal entitlement is approved for that acreage. In this subsection, "business purposes" means a purpose consistent with the classification of the land at the time the land was entered. In this subsection, "building" means a permanent type of structure with solid walls, foundation, and roof.