

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 11.20 is amended by adding a new section to read:

Sec. 11.20.135. Unauthorized Entry, Use or Occupancy of Property. (a) It is unlawful for a person to enter, use or occupy any unoccupied dwelling, house, tent, hotel, office, store, shop, warehouse, barn, factory or other building, boat, ship, railroad car or structure, or apartment, cottage, clubhouse, boathouse, hunting or fishing lodge, garage or any other structure, or use any personal property therein, except with the consent of the owner of the facility or his agent, unless

(1) the entry, use or occupancy of any of the facilities described in this subsection is for an emergency in the case of immediate and dire need, and

(2) the person contacts the owner or agent within 15 days after using the facility or, if the owner is unknown, the nearest state or local police agency, and

makes a report of the time of the entry, use or occupancy of the facility and any damage to the facility or personal property, unless notice waiving necessity of the report is posted in the facility by the owner or his agent.

(b) A person who violates (a) of this section is guilty of a misdemeanor.

(c) A court having jurisdiction to impose sentence for violation of (a) of this section may suspend all or part of a sentence on condition, among any other which might be lawfully ordered by the court, that the defendant make restitution for, or repair, any damage he has caused or compensate the owner for property used or consumed.

(d) The Department of Public Safety shall provide forms upon which reports required by this section can be made and shall supply the forms to all local and state police agencies in the state for public distribution. The department may adopt rules and regulations regarding reports required under this section.

Approved April 8, 1965

CHAPTER 57

AN ACT

Relating to the power of the commissioner of health and welfare to designate facilities where sentences are served.

(H.B. 82)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 33.30.100 is amended to read:

Sec. 33.30.100. Commissioner to Designate Facility. The commissioner shall designate the facility where the sentence shall be served. The commissioner may designate any available, suitable and appropriate facility for the service of sentence by a prisoner, whether or not it is maintained by the state, and whether it is inside or outside the judicial district where the prisoner was convicted, or whether or not it is in another state, territory or possession of the United States.

Sec. 2. AS 33.30.110 is amended to read:

Sec. 33.30.110. Commissioner May Designate Facility for Service of Temporary Commitments or Sentences of One Year or Less. The commissioner may designate a suitable state facility or a suitable facility made available to the state by agreement or contract, to which all persons sentenced to serve a term of one year or less, or detained on temporary commitment, shall be committed. The court may make commitment for the term it directs, or order temporary commitment to the custody of the keeper or person in charge of the designated facility.

Sec. 3. AS 33.30.120 is amended to read:

Sec. 33.30.120. Transfer of Prisoners. The commissioner may order a prisoner transferred from one facility to another.

Sec. 4. AS 33.30.200(5) is amended to read:

(5) "prison facility" or "facility" means a building, camp, farm, place or area designated by the commissioner for detention or confinement of persons ac-

cused or convicted of crime, or held under authority of law, and a "state prison facility" or "state facility" includes a facility owned by or leased, loaned or granted to the state by the United States or any political subdivision of this state.

Approved April 10, 1965

CHAPTER 58

AN ACT

Relating to land preference rights; and providing for an effective date.

(S.B. 131)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 38.05.035(b) is repealed and re-enacted to read:

(b) The director may

(1) delegate the administrative duties, functions or powers imposed upon him to a responsible employee in the division;

(2) grant preference rights for the lease or purchase of state land without competitive bid in order to correct the past or future errors or omissions of a state or federal administrative agency when inequitable detriment would otherwise result to a diligent claimant or applicant due to situations over which the claimant or applicant had no control; the exercise of this discretionary power operates only to divest the state of its title to or interests in land and may be exercised only with the express approval of the commissioner;

(3) grant a preference right to a claimant who shows bona fide improve-

ment of state land, or federal land subsequently acquired by the state, and who has in good faith sought to obtain title to the land but who, through error or omission of others, has been denied title to it; upon a showing satisfactory to the commissioner, the claimant may lease or purchase the land at a price determined by the division to fairly represent the value of unimproved land at the time the claim was established, but in no event less than the cost of administration including survey; the error or omission of a predecessor in interest or an agent, administrator, or executor which has clearly prejudiced the claimant may be the basis for granting a preference right;

(4) dispose of lands by competitive bid for less than their appraised value when, in his judgment, past scarcity of land in any particular area has resulted in unrealistic land values.

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 April 10, 1965

CHAPTER 59

AN ACT

Relating to permanent identification of historic vehicles.

(H.B. 193)