

SENATE BILL NO. 330

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY SENATOR WARD

Introduced: 2/19/02

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the sale of state land at auction."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 38.04.045(b) is amended to read:

4 (b) Before the issuance of a long-term lease under AS 38.05.070 or of a patent
5 for state land, an official cadastral survey shall be accomplished, unless a comparable,
6 approved survey exists that has been conducted by the federal Bureau of Land
7 Management. Before land may be offered under AS 38.08 or AS 38.09, or before land
8 may be offered under AS 38.05.055 or 38.05.057, except land that is classified for
9 agricultural uses **and land offered under AS 38.05.050(b)**, an official rectangular
10 survey grid shall be established. The rectangular survey section corner positions shall
11 be monumented and shown on a cadastral survey plat approved by the state. For those
12 areas where the state may wish to convey surface estate outside of an official
13 rectangular survey grid, the commissioner may waive monumentation of individual
14 section corner positions and substitute an official control survey with control points
15 being monumented and shown on control survey plats approved by the state. The

1 commissioner may not issue more than one conveyance for each section within a
 2 township outside of an official rectangular survey grid. Land to be conveyed may not
 3 be located more than two miles from an official survey control monument except that
 4 the commissioner may waive this requirement on a determination that a single purpose
 5 use does not justify the requirement if the existing status of the land is known with
 6 reasonable certainty. The lots and tracts in state subdivisions shall be monumented
 7 and the cadastral survey and plats for the subdivision shall be approved by the state.
 8 Where land is located within a municipality with planning, platting, and zoning
 9 powers, plats for state subdivisions shall comply with local ordinances and regulations
 10 in the same manner and to the same extent as plats for subdivisions by other
 11 landowners. State subdivisions shall be filed and recorded in the district recorder's
 12 office. The requirements of this section do not apply to land made available for
 13 material sales, for short-term leases, for parcels adjoining a surveyed right-of-way, or
 14 for land that has been open to random staking under the homestead program in the
 15 past; however, for short-term leases, the lessee shall comply with local subdivision
 16 ordinances unless waived by the municipality under procedures specified by
 17 ordinance. In this subsection, "a single purpose use" includes a communication site, an
 18 aid to navigation, and a park site.

19 * **Sec. 2.** AS 38.05.050 is amended by adding a new section to read:

20 (b) The commissioner shall offer at least 100,000 acres of land for sale at
 21 auction under AS 38.05.055 every 60 days until one percent of the land owned by the
 22 state on the effective date of this subsection, but not more than 1,000,000 acres, has
 23 been offered for sale. Parcels offered under this subsection must consist of at least 40
 24 acres but not more than 1,000 acres. In addition to the requirements of AS 38.05.055,
 25 the minimum sale price for a parcel offered under this subsection is \$100 an acre.
 26 Notwithstanding the provisions of (a) of this section, the successful bidder for a parcel
 27 offered for sale under this subsection shall deposit, at the time of sale, an amount equal
 28 to 20 percent of the purchase price. Notwithstanding AS 38.05.065, the successful
 29 bidder shall pay the remainder of the purchase price over a period of not more than six
 30 years, with interest at the rate of six percent. The department is not required to
 31 complete a survey under AS 38.04.045(b) of a parcel sold under this subsection until

1 the parcel has been conveyed to the buyer. The legislature may appropriate the
2 proceeds of sales under this subsection to the constitutional budget reserve fund
3 established under art. IX, sec. 17, Constitution of the State of Alaska.

4 * **Sec. 3.** AS 38.05.065(a) is amended to read:

5 (a) **Except as provided in AS 38.05.050, the** [THE] contract of sale for land
6 sold at public auction under AS 38.05.055 **must** [SHALL] require the remainder of the
7 purchase price to be paid in monthly, quarterly, or annual installments over a period of
8 not more than 20 years, with interest at the rate provided in (i) of this section.
9 Installment payments plus interest shall be set on the level-payment basis.