

Introduced: 2/28/63
Referred: Judiciary

RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 110

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act excluding from preference rights
7 subsurface rights in land; and providing
8 for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 38.05.035(b) is amended to read:

11 (b) The director may

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

15 (2) grant surface use preference rights for the
16 lease or purchase of state land in order to correct the past
17 or future errors or omissions of a state or federal adminis-
18 trative agency where inequitable detriment would otherwise
19 result to a diligent claimant or applicant due to situations
20 over which the claimant or applicant had no control; the
21 exercise of this discretionary power operates only to divest
22 the state of its title to or interests in land and may be
23 exercised only with the express approval of the commissioner;
24 a claimant who shows bona fide improvement of state land made
25 before March 31, 1960, and who has in good faith sought to
26 obtain title to the land, but who through error or omission
27 of others has been denied title to it may, on a showing satis-
28 factory to the commissioner, be given a preference right to
29 lease or purchase the land at an appraised price determined

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

by the division; 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.

* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.