

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 SENATE BILL NO. 333

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to assessment of state  
7 property for local improvements; and provid-  
8 ing for an effective date."

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

10 \* Section 1. The purpose of this Act is to have the state bear  
11 its just and equitable proportion of the cost of local improvements  
12 specially benefitting state property.

13 \* Sec. 2. AS 29.10 is amended by adding a new section to read:

14 Sec. 29.10.331. ASSESSMENT OF STATE PROPERTY. (a) The  
15 council may assess for the cost of local improvements all  
16 real property held or owned by the state in fee simple,  
17 whether in trust or otherwise, which is within the corporate  
18 limits of the city and which is specially benefitted by the  
19 improvement for which the assessment is made. Assessments  
20 shall be made in the manner provided in this chapter, except  
21 as otherwise provided in this section.

22 (b) Assessments shall be made in proportion to the  
23 special benefit conferred upon the real property of the state  
24 by the improvement. However, the assessment against the state  
25 shall be limited to the benefit conferred upon the interest  
26 which the state holds in the real property at the time the  
27 assessment is made. Privately or publicly held leaseholds,  
28 contracts or possessory interest in the same real property  
29 may be assessed in proportion to the special benefit conferred

1 upon the interest. Where the real property of the state is  
2 under lease, the proportionate amounts to be assessed against  
3 the leasehold interest, and the fee simple interest of the  
4 state, shall be fixed with reference to the life of the im-  
5 provement and the period for which the lease has yet to run.

6 (c) Interests in real property of the state, including  
7 privately or publicly held leases, contracts or possessory  
8 interests, may not be sold to satisfy the lien of the assess-  
9 ment.

10 (d) Before the governing body makes an assessment  
11 against the real property of the state, it shall give notice  
12 of intention to make the local improvement for which the  
13 assessment will be made, together with identification of the  
14 property to be assessed and an estimate of the amount to be  
15 assessed against the interest of the state for the improve-  
16 ment. The notice shall be forwarded by registered mail to  
17 the commissioner of administration at least 15 days before  
18 the date fixed for public hearing on the proposed improvement.

19 (e) Upon the approval and confirmation of the assessment  
20 roll for any local improvement validly initiated by the coun-  
21 cil, the treasurer of the city shall certify and forward to  
22 the commissioner of administration a statement of the real  
23 property of the state assessed for the improvement, together  
24 with the amount of the assessment. The commissioner shall  
25 certify the amount of the assessment to the legislature for  
26 payment with interest within the first 10 days of a regular  
27 session.

28 (f) None of the provisions of this section shall be  
29 construed to alter or modify in any particular the terms and

1           conditions of any lease, contract or possessory interest held  
2           in real property of the state.

3           \* Sec. 3. This Act takes effect on the day after its passage  
4           and approval or on the day it becomes law without such approval.

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