

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 349

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 sale or lease of state
7 land to persons having preference rights
8 established before a certain date; and pro-
9 viding for an effective date."

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

11 * Section 1. AS 38.05.035(b)(2) is amended to read:

12 (2) grant preference rights for the lease or pur-
13 chase of state land without competitive bid in order to
14 correct the past or future errors or omissions of a state or
15 federal administrative agency where inequitable detriment
16 would otherwise result to a diligent claimant or applicant
17 due to situations over which the claimant or applicant had
18 no control; the exercise of this discretionary power operates
19 only to divest the state of its title to or interests in land
20 and may be exercised only with the express approval of the
21 commissioner; a claimant who shows bona fide improvement of
22 state or forest service land made before March 31, 1962
23 [1960], and who has in good faith sought to obtain title to
24 the land, but who through error or omission of others has
25 been denied title to it may, on a showing satisfactory to
26 the commissioner, be given a preference right to lease or
27 purchase the land at a price determined by the division to
28 fairly represent the value of unimproved land at the time the
29 claim was established, but in no event less than the cost of

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

administration including survey; 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 that CS for House Bill No. 305 takes effect.