

Introduced: 3/27/64
Referred: Rules

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 and providing for an effective date."

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

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

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

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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.