

1 IN THE SENATE

BY SENATOR BUTROVICH

2 SENATE BILL NO. 131

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to land preference rights;
7 and providing for an effective date."

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

9 * Section 1. AS 38.05.035(b) is repealed and re-enacted to
10 read:

11 (b) The director may

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

15 (2) grant preference rights for the lease or
16 purchase of state land without competitive bid in order to
17 correct the past or future errors or omissions of a state or
18 federal administrative agency when inequitable detriment
19 would otherwise result to a diligent claimant or applicant
20 due to situations over which the claimant or applicant had
21 no control; the exercise of this discretionary power operates
22 only to divest the state of its title to or interests in
23 land and may be exercised only with the express approval of
24 the commissioner;

25 (3) grant a preference right to a claimant who
26 shows bona fide improvement of state land, or federal land
27 subsequently acquired by the state, and who has in good
28 faith sought to obtain title to the land but who, through
29 error or omission of others, has been denied title to it;

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1 upon a showing satisfactory to the commissioner, the claimant
2 may lease or purchase the land at a price determined by the
3 division to fairly represent the value of unimproved land at
4 the time the claim was established, but in no event less than
5 the cost of administration including survey; the error or
6 omission of a predecessor in interest or an agent, adminis-
7 trator, or executor which has clearly prejudiced the claimant
8 may be the basis for granting a preference right;

9 (4) dispose of lands for less than their appraised
10 value when, in his judgment, past scarcity of land in any par-
11 ticular area has resulted in unrealistic land values; when a
12 new appraisal is made, the land must again be placed on
13 competitive bid.

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