

Original sponsor: Ray and
Banfield

Offered: 3/13/68
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 583

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state liens on property of welfare
7 assistance recipients taken for public purposes; and
8 providing for an effective date."

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

10 * Section 1. AS 47.25 is amended by adding new sections to read:

11 Sec. 47.25.575 PROPERTY TAKEN UNDER EMINENT DOMAIN POWERS. (a)

12 If a recipient's property to which, under sec. 570 of this chapter, a
13 lien for assistance has attached is taken for urban renewal or other
14 public purposes, the department, with the approval of the attorney
15 general, may release its lien upon the property and the proceeds paid
16 the recipient as a result of the taking.

17 (b) If the recipient expresses his intent to purchase a personal
18 dwelling, the proceeds shall be paid by the taking authority into an
19 escrow account under escrow instructions approved by the department.
20 If the proceeds are paid into such an account and are applied by the
21 recipient within one year to the purchase of a personal dwelling, the
22 proceeds may not cause a reduction of the amount of assistance to which
23 the recipient would otherwise be entitled. The department shall inform
24 the recipient of the provisions of this section at the time of the
25 taking.

26 (c) Nothing in this section prohibits a lien in an amount equal
27 to the total of all assistance granted the recipient from attaching to
28 property purchased with the proceeds paid by the taking authority.

29 Sec. 47.25.905. PROPERTY TAKEN UNDER EMINENT DOMAIN POWERS. (a)

1 If a recipient's property to which, under sec. 900 of this chapter, a
2 lien for assistance has attached is taken for urban renewal or other
3 public purposes, the department, with the approval of the attorney
4 general, may release its lien upon the property and the proceeds paid
5 the recipient as a result of the taking.

6 (b) If the recipient expresses his intent to purchase a personal
7 dwelling, the proceeds shall be paid by the taking authority into an
8 escrow account under escrow instructions approved by the department.
9 If the proceeds are paid into such an account and are applied by the
10 recipient within one year to the purchase of a personal dwelling, the
11 proceeds may not cause a reduction of the amount of assistance to which
12 the recipient would otherwise be entitled. The department shall inform
13 the recipient of the provisions of this section at the time of the
14 taking.

15 (c) Nothing in this section prohibits a lien in an amount equal
16 to the total of all assistance granted the recipient from attaching to
17 property purchased with the proceeds paid by the taking authority.

18 * Sec. 2. AS 47.30 is amended by adding a new section to read:

19 Sec. 47.30.275. PROPERTY TAKEN UNDER EMINENT DOMAIN POWERS. (a)
20 If a recipient's property to which, under sec. 270(d) of this chapter,
21 a lien for assistance has attached is taken for urban renewal or other
22 public purposes, the department, with the approval of the attorney
23 general, may release its lien upon the property or the proceeds paid the
24 recipient as a result of the taking.

25 (b) If the recipient expresses his intent to purchase a personal
26 dwelling, the proceeds shall be paid by the taking authority into an
27 escrow account under escrow instructions approved by the
28 department. If the proceeds are paid into such an account and are
29 applied by the recipient within one year to the purchase of a personal

1 dwelling, the proceeds may not cause a reduction of the amount of
2 assistance to which the recipient would otherwise be entitled. The
3 department shall inform the recipient of the provisions of this section
4 at the time of the taking.

5 (c) Nothing in this section prohibits a lien in an amount equal
6 to the total of all assistance granted the recipient from attaching to
7 property purchased with the proceeds paid by the taking authority.

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

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