

Introduced: 2/10/67  
Referred: State Affairs  
and Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 90

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the commissioner of highway's  
7 delegation of authority to sign Declaration of Taking;  
8 and providing for an effective date."

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

10 \* Section 1. AS 19.05.090 is amended to read:

11 Sec. 19.05.090. DECLARATION OF TAKING. A declaration of taking  
12 in the form of an order signed by the commissioner, or by a designee  
13 of the commissioner within the department, declaring that the real  
14 property, or interest in it, or an easement, is necessary for the public  
15 use of the state vests title in the state. However, a declaration of  
16 taking is not effective until eminent domain proceedings have been in-  
17 stituted in the proper court, and a copy of the declaration of taking  
18 has been filed in the office of the recorder in the district where the  
19 land is located. The department shall [MAY] pay from the appropriate  
20 fund into court the amount it considers represents a reasonable  
21 valuation for the lands, easement or materials taken.

22 \* Sec. 2. This Act takes effect on the day after its passage and  
23 approval or on the day it becomes law without approval.