

2 HOUSE BILL NO. 30

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for housing development assistance
7 to municipalities; and providing for an effective date."

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

9 *Section 1. AS 18 is amended by adding a new chapter to read:

10 CHAPTER 57. DEVELOPMENT ASSISTANCE TO MUNICIPALITIES.

11 Sec. 18.57.010. ADDITIONAL LAND SELECTIONS. A borough or city
12 which has an acute housing shortage may, in addition to the land
13 selections allowed under AS 29.18.190, select five per cent of the
14 vacant, unappropriated, unreserved state land located within its
15 boundaries. In the selection of this land it is the policy of the
16 state to make available to boroughs and cities the maximum land area
17 from which to make selections under this section consistent with the
18 best interests of the state. Nothing in this section affects a valid
19 existing claim, location or entry under the laws of the state or the
20 United States whether for homestead, mineral, right-of-way or other
21 purpose or affects the rights of an owner, claimant, locator or entry-
22 man to the full use and enjoyment of the land so occupied.

23 Sec. 18.57.020. USE OF ADDITIONAL LAND SELECTIONS. Any land
24 selected under this chapter may only be used as sites for residential
25 housing for persons of lower or moderate income or may be sold or
26 leased for any purpose upon terms and conditions prescribed by the
27 governing body of the municipality providing that the receipts from
28 the sale or lease shall be used only for the purpose of land development
29 or for the costs of constructing, equipping or operating residential

1 housing for persons of lower or moderate income.

2 Sec. 18.57.030. SELECTION PROCEDURE. (a) All selections must
3 be made in reasonably compact tracts, taking into account the situation
4 and potential uses of the land involved. The authority to make selec-
5 tions may not be alienated or bargained away, in whole or in part, by
6 the borough or city.

7 (b) If land desired by the borough or city is unsurveyed at the
8 time of its selection, the Department of Natural Resources shall survey
9 or approve a survey by the borough or city of the exterior boundaries
10 of the area requested without interior subdivision and shall issue a
11 patent for the selected area in terms of the exterior boundary survey.
12 The cost of survey is borne by the borough or city. If land desired
13 by the borough or city has been surveyed at the time of its selection,
14 the boundaries of the areas requested must conform to the public land
15 subdivisions established by the approval of the survey. Land selected
16 by the borough or city under this chapter is patented to the borough
17 or city by the Department of Natural Resources.

18 (c) After the selection of the land by the borough or city but
19 before the issuance of final patent, the borough or city may execute
20 conditional leases and make conditional sales of selected land.

21 (d) The Department of Natural Resources shall convey land selected
22 under this chapter to the municipality within 60 days of the filing of
23 an application for that land.

24 Sec. 18.57.040. ACUTE HOUSING SHORTAGE. A borough or city shall
25 for the purposes of this chapter be deemed to have an acute housing
26 shortage:

27 (a) if the vacancy rate in lower or moderate income housing as
28 shown by census data or other reliable information is less than two
per cent of rental housing or four per cent of owner occupied housing

1 as determined by the governing body of the municipality by resolution;
2 or;

3 (b) if other criteria set by the Department of Community and
4 Regional Affairs is met.

5 Sec. 18.57.050. DEFINITIONS. In this chapter unless the context
6 clearly indicates a different meaning:

7 (1) "land development" means the process of acquiring land
8 primarily for residential housing construction for persons of lower
9 and moderate income and making, installing or constructing nonresi-
10 dential housing improvements, including water, sewer and other utilities,
11 roads, streets, curbs, gutters, sidewalks, storm drainage facilities
12 and other installations or works, whether on or off the site, which
13 the municipality considers necessary or desirable to prepare the land
14 primarily for residential housing construction;

15 (2) "persons of lower and moderate income" means a person or
16 persons considered by the municipality to require assistance available
17 under this chapter on account of insufficient or inadequate personal
18 or family income or otherwise limited personal financial resources,
19 taking into consideration, without limitation, such factors as

20 (A) the amount of the total income of the persons avail-
21 able for housing needs;

22 (B) the size of the family;

23 (C) the cost and condition of housing facilities avail-
24 able;

25 (D) standards established for various federal programs
26 determining eligibility based on income of the persons; and

27 (E) the ability of the persons to compete successfully
28 in the normal housing market and to pay the amounts at which
29 private enterprise is providing decent, safe and sanitary housing;

1 (3) "residential housing" means a specific work or improve-
2 ment undertaken primarily to provide dwelling accommodations without
3 limitation as to form of lawful occupancy, whether rental, under
4 contract, fee ownership, cooperative housing, condominium or other
5 lawful forms of ownership, for persons of lower and moderate income,
6 or in remote, underdeveloped or blighted areas, including the acquisi-
7 tion, construction or rehabilitation of land, buildings and improve-
8 ments, and other nonhousing facilities that may be incidental or
9 appurtenant to them.

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