

1 IN THE HOUSE

BY MILLER

2 HOUSE BILL NO. 23

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH 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 with an acute housing shortage may, in addition to the land selections
13 allowed under AS 29.18.190, select five per cent of the vacant, unappro-
14 priated, unreserved state land located within its boundaries. It is
15 the policy of the state to make available to boroughs and cities the
16 maximum land area from which to make selections under this section
17 consistent with the best interests of the state. Nothing in this section
18 affects a valid existing claim, location or entry under the laws of the
19 state or the United States whether for homestead, mineral, right-of-way
20 or other purpose or affects the rights of an owner, claimant, locator or
21 entryman to the full use and enjoyment of the land so occupied.

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

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

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

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

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

23 Sec. 18.57.040. ACUTE HOUSING SHORTAGE. For the purposes of this
24 chapter a borough or city has an acute housing shortage if

25 (1) the vacancy rate in lower or moderate income housing as
26 shown by census data or other reliable information is less than two per
27 cent of rental housing or four per cent of owner occupied housing as
28 determined by resolution of the governing body of the municipality; or

29 (2) other criteria set by the Department of Community and

1 Regional Affairs are met.

2 Sec. 18.57.050. DEFINITIONS. In this chapter unless the context
3 clearly indicates a different meaning

4 (1) "land development" means acquiring land and making
5 improvements, including installation of water, sewer and other utilities,
6 construction of roads, streets, curbs, gutters, sidewalks, storm drainage
7 facilities, and other improvements on or off the site which the munici-
8 pality considers necessary or desirable to prepare the land for residen-
9 tial housing construction for persons of lower or moderate income;

10 (2) "persons of lower and moderate income" means persons
11 considered by the municipality to require assistance under this chapter
12 on account of insufficient personal or family income or otherwise limited
13 financial resources, taking into consideration such factors as

14 (A) the income of persons with housing needs;

15 (B) the size of the family;

16 (C) the cost and condition of existing housing facilities;

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

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

22 (3) "residential housing" means dwelling accommodations with-
23 out limitation as to form of lawful occupancy for persons of lower and
24 moderate income.

25 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
26 070(c).