

Original sponsor: Gruening, McKinnon,
Parker, et al

Offered: 5/30/76

1 IN THE HOUSE BY THE FREE CONFERENCE COMMITTEE

2 FREE CONFERENCE CS FOR SENATE CS FOR HOUSE BILL NO. 139

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE -- SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the rental and leasing of state
7 land; and providing for an effective date."

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

9 * Section 1. AS 38.05.105 is amended to read:

10 Sec. 38.05.105. PERIODIC RENTAL ADJUSTMENTS. Each lease shall
11 stipulate that the annual rental payment is subject to adjustment at
12 five-year intervals and charges or adjustments shall be based primarily
13 on a reappraised annual rental value. However, if the director of the
14 division of lands determines that residential development is the best
15 use for the land, the reappraisal period may be lengthened or the re-
16 adjustment waived in accordance with regulations adopted by the commis-
17 sioner. Before a waiver of rental readjustment is issued, the land shall
18 have a current reappraisal. A waiver is valid only if residential
19 development actually occurs, and only if it is necessary for obtaining
20 primary long-term financing. The regulations adopted under this section
21 shall ensure that the state receives a fair return from the land. [HOW-
22 EVER, WHEN DEVELOPMENT OF THE LAND IS NOT OTHERWISE POSSIBLE DUE TO
23 SPECIAL CONDITIONS, THE REAPPRAISAL PERIOD MAY BE LENGTHENED OR WAIVED
24 UNDER REGULATIONS ADOPTED BY THE COMMISSIONER.]

25 * Sec. 2. AS 38.05.030(e) is amended to read:

26 (e) The sale, lease or other disposal of school lands under the
27 jurisdiction of the department shall be made by the commissioner in
28 accordance with the provisions of this chapter. However, disposal of
29 school lands under this subsection, other than disposal by lease for a

1 term of years, shall be made only for sites for school facilities or for
2 public park and public recreation purposes. School lands may be ex-
3 changed for (1) state lands, (2) vacant, unappropriated and unreserved
4 public lands and (3) lands owned by a city, borough or other public
5 entity. In the case of unequal values, cash may be used to equalize
6 land values. When the department determines that it is in the best
7 interest of the state to dispose of the school lands located within
8 Sections 16 and 36 in an organized borough or city of any class, the
9 borough or city is authorized, and has preference for six months after
10 notice, to acquire the land at the appraised value by purchase or
11 exchange of land acceptable to the department. No sale, lease, exchange
12 or other disposal of school lands may be made without the approval of
13 the state [STATE] Board of Education. The state Board of Education
14 shall act as a trustee of school lands. The board may retain private
15 counsel or other professional assistance when necessary to carry out
16 its duties as a trustee.

17 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
18 070(c).
19
20
21
22
23
24
25
26
27
28
29