

Introduced: 2/1/78
Referred: Resources and
Finance

1 IN THE HOUSE

BY BRADLEY, FREEMAN, PHILLIPS
AND COTTEN

FCCS
CS HOUSE BILL NO. 720 *(FIN)*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to homesites; and providing for an
7 effective date."

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

9 * Section 1. It is the purpose of this Act to encourage the settlement of
10 state land and the development of state resources by making available to
11 citizens of the state 7,000,000 acres of state land for homesteading.

12 * Sec. 2. No later than November 1, 1978, the director of the division of
13 lands in the Department of Natural Resources shall classify, survey, and plat
14 10,000 acres of state land for homesite entry in accordance with the provi-
15 sions of AS 38.08.010 - 38.08.120.

16 * Sec. 3. AS 38.08.010(a) is amended to read:

17 (a) No later than June 30, 1979, and annually thereafter, the
18 [THE] director shall classify, survey, and plat for homesite entry
19 25,000 acres of state land which is otherwise vacant, unappropriated and
20 unreserved and is suitable for erection of residential dwellings to use
21 as a permanent abode until 7,000,000 acres have been so classified,
22 surveyed and platted.

23 * Sec. 4. AS 38.08.010 is amended by adding a new subsection to read:

24 (d) In each annual opening, the director shall, to as great an
25 extent as possible, classify land for homesite entry based upon the
26 distribution of population in the state.

27 * Sec. 5. AS 38.08.020 is amended to read:

28 Sec. 38.08.020. OFFERING OF LAND FOR HOMESITE ENTRY. [FOLLOWING
29 CLASSIFICATION OF LAND FOR HOMESITE ENTRY, OFFERINGS OF HOMESITE ENTRY

1 LAND SHALL BE MADE ON A ROTATING BASIS FROM AMONG THE FOUR JUDICIAL DIS-
2 TRICTS OF THE STATE.] The director shall publish notice of the avail-
3 ability of the land for at least three consecutive weeks through the
4 electronic media and in at least three newspapers of general circulation
5 in the state, at least one of which, if possible, shall be a newspaper
6 of general circulation in the vicinity of the available land.

7 * Sec. 6. AS 38.08.030(a)(2) is amended to read:

8 (2) submit proof acceptable to the commissioner that he is a
9 resident of the state at the time of application, and that he has been a
10 resident of the state for not less than three [SIX] years immediately
11 preceding the date his application was submitted, or that he has been a
12 resident for 20 years cumulatively;

13 * Sec. 7. AS 38.08.060(a)(2) is amended to read:

14 (2) erects a habitable, permanent, single-family dwelling on
15 the homesite, which meets all applicable state and local regulations,
16 within five [THREE] years of the date of issuance of the homesite entry
17 permit; for the purposes of this paragraph, mobile homes are not con-
18 sidered to be permanent dwellings unless they are placed on a permanent
19 foundation;

20 * Sec. 8. AS 38.08.070 is amended to read:

21 Sec. 38.08.070. LAND LOCATED WITHIN MUNICIPALITIES. No state land
22 which is located within the boundaries of an organized borough or city
23 may be classified for homesite entry under this chapter until the pro-
24 posed use of the land has been studied [AND APPROVED] jointly by the
25 director and the local planning authority. Nothing in this section or
26 AS 29.18.190 prevents the director from selecting and classifying for
27 homesite entry land which would otherwise be available for borough or
28 city selection under AS 29.18.190. If classified for homesite entry,
29 the land shall not be available for city or borough selection.

1 * Sec. 9. AS 38.08.080 is amended by adding a new subsection to read:

2 (b) If the director classifies for homesite entry state land which
3 is located within the boundaries of a municipality which exercises
4 planning and zoning authority under AS 29 but which has not been zoned
5 for residential use only, the governing body of the municipality shall,
6 within a reasonable amount of time following the classification, decide
7 whether to zone the land for residential use only and notify the direc-
8 tor of its decision.

9 * Sec. 10. AS 38.08.110 is amended to read:

10 Sec. 38.08.110. REGULATIONS. The commissioner shall adopt regula-
11 tions in accordance with AS 44.62.180 - 44.62.290 to carry out the pur-
12 poses of this chapter, including, but not limited to, regulations relat-
13 ing to easements and access routes.

14 * Sec. 11. AS 38.08.010(c)(1), (2), (3), (5) and (6) are repealed.

15 * Sec. 12. This Act takes effect immediately in accordance with AS 01.10.-
16 070(c).