

Introduced: 2/16/82
Referred: Resources

1 IN THE HOUSE

BY GARDINER, HAUGEN AND
FREEMAN

2 HOUSE BILL NO. 811

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to preferences to occupants of land
7 under a United States Forest Service timber contract."

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

9 * Section 1. AS 38.05 is amended by adding a new section to read:

10 Sec. 38.05.064. PREFERENCE TO OCCUPANTS UNDER FOREST SERVICE
11 TIMBER SALE CONTRACT. (a) The director shall offer for sale under this
12 section to its occupant land subject to a valid existing United States
13 Forest Service timber sale contract at the time the occupant or a pre-
14 decessor in interest entered onto the land and erected a permanent
15 improvement with the permission of the timber sale contractor.

16 (b) Except when in conflict with this section, other provisions of
17 AS 38.05.045 - 38.05.069 apply to sales under this section.

18 (c) If the permanent improvement described in (a) of this section
19 is a recreational cabin, recreational residence, nonrecreational resi-
20 dence, or a residence of a community nature and the land is used for
21 noncommercial residential or recreational purposes, the purchase price
22 offered to the occupant shall be an amount determined by the commissioner
23 that is equal to the state money required to be spent in order to sell
24 the land plus the cost of survey or resurvey, if the survey or resurvey
25 is made by the department or a contractor of the department.

26 (d) If the permanent improvement described in (a) of this section
27 is for a use other than a use listed in (c) of this section, the purchase
28 price offered to the occupant shall be not less than the appraised fair
29 market value of the land.

Original sponsors: Gardiner, Haugen
and Freeman

Offered: 3/26/82
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 811 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing preferences for occupants of land
7 under a United States Forest Service timber contract;
8 and providing for an effective date."

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

10 * Section 1. (a) If land formerly subject to a United States Forest
11 Service timber sale contract contains a permanent improvement and the land is
12 offered to the public for sale, the director of the division of lands,
13 Department of Natural Resources, shall first offer it to the occupant or his
14 successor in interest if the occupant or his successor

15 (1) built the permanent improvement with the approval of the
16 former timber sale contractor or purchased the improvement from the former
17 timber sale contractor before the effective date of this Act; and

18 (2) occupied the land for 90 days or more before the land was
19 relinquished by the former timber sale contractor.

20 (b) Except when in conflict with this section, the provisions of
21 AS 38.05.045 - 38.05.069 apply to sales under this section.

22 (c) If the permanent improvement described in (a) of this section is a
23 residence and the land is used for noncommercial residential purposes, the
24 purchase price offered to the occupant shall be an amount determined by the
25 commissioner of natural resources that is equal to the state money required
26 to be spent in order to sell the land plus the cost of survey or resurvey, if
27 the survey or resurvey is made by the Department of Natural Resources or a
28 contractor of the department.

29 (d) If the permanent improvement described in (a) of this section is

1 for a use other than a use listed in (c) of this section, the director of the
2 division of lands may offer the land

3 (1) to the occupant of the land or his successor in interest for
4 not less than the appraised fair market value of the land; or

5 (2) under AS 38.05.315(e).

6 (e) The director of the division of lands may adjust the boundaries of
7 a lot containing a permanent improvement described in (a) of this section to
8 provide for the general health, welfare, and safety of residents of the
9 community.

10 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
11 070(c).

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