

Introduced: 1/17/83
Referred: Community & Regional
Affairs and Judiciary

1 IN THE HOUSE

BY FURNACE

2 HOUSE BILL NO. 37

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

9 * Section 1. AS 09.55.270 is amended by adding a new subsection to
10 read:

11 (b) Before property can be taken, the plaintiff shall provide at
12 its expense an appraisal of the property to be taken to a person who
13 has a compensable interest in the land to be taken if requested by the
14 person. The appraiser shall be selected by the person who requests
15 the appraisal and must be a qualified appraiser who resides in the
16 state and who is not an employee of the plaintiff or of a governmental
17 unit.

18 * Sec. 2. AS 09.55.430 is amended to read:

19 Sec. 09.55.430. CONTENTS OF DECLARATION OF TAKING. The declara-
20 tion of taking shall contain

21 (1) a statement of the authority under which the property
22 or an interest in it is taken;

23 (2) a statement of the public use for which the property or
24 an interest in it is taken;

25 (3) a description of the property sufficient for the iden-
26 tification of it;

27 (4) a statement of the estate or interest in the property;

28 (5) a map or plat showing the location of the property;

29 (6) a statement of the amount of money estimated by the

1 plaintiff to be just compensation for the property or the interest in
2 it; however, if an appraisal has been requested under AS 09.55.270(b),
3 the amount of money estimated to be just compensation is the amount
4 contained in the appraisal;

5 (7) a statement that the property is taken by necessity for
6 a project located in a manner which is most compatible with the great-
7 est public good and the least private injury.

8 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
9 10.070(c).