

Introduced: 2/21/83  
Referred: Community & Regional  
Affairs and Judiciary

1 IN THE HOUSE

BY FURNACE AND RINGSTAD

2 SPONSOR SUBSTITUTE FOR 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 is amended by adding a new section to read:

10 Sec. 09.55.265. APPRAISAL REQUIRED. (a) If the property to be  
11 taken is used for residential purposes and has an estimated value in  
12 excess of \$10,000 the condemnor shall provide at its expense an ap-  
13 praisal of the property to be taken to the owner of the property.

14 (b) The appraisal required by (a) of this section shall be  
15 conducted by an appraiser selected at random from a list of at least  
16 three appraisers. The list shall include all appraisers known to the  
17 condemnor who regularly appraise property in the area where the prop-  
18 erty to be taken is located. When more than one person is the owner  
19 of property to be taken, the persons shall make the selection and  
20 notification jointly.

21 (c) In this section

22 (1) "appraiser" means an appraiser who is designated as  
23 qualified by a national testing and certifying organization for ap-  
24 praisers and who is not an employee of the condemnor or a government  
25 unit; and

26 (2) "owner" includes any person who has a compensable  
27 interest in the property to be taken.

28 \* Sec. 2. AS 09.55.430 is amended to read:

29 Sec. 09.55.430. CONTENTS OF DECLARATION OF TAKING. The

1 declaration of taking shall contain

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

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

6 (3) a description of the property sufficient for the iden-  
7 tification of it;

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

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

10 (6) a statement of the amount of money estimated by the  
11 plaintiff to be just compensation for the property or the interest in  
12 it; however, if an appraisal was required under AS 09.55.270(b), the  
13 amount of money estimated to be just compensation is the amount con-  
14 tained in the appraisal;

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

18 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
19 10.070(c).