

Introduced: 1/17/84
Referred: Resources and
Finance

1 IN THE SENATE

BY JOSEPHSON

2

SENATE BILL NO. 356

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act establishing a preference right to land."

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

8 * Section 1. AS 38.05.035 is amended by adding a new subsection to
9 read:

10 (e) The director shall grant a preference right for the purchase
11 of state land without competitive bid in order to correct a past error
12 or omission of a federal agency when detriment would otherwise result
13 to a diligent claimant acting in good faith due to situations over
14 which the claimant had no control if the claimant filed a notice of
15 entry relating to the land with the federal agency before July 1,
16 1959. The director shall sell the land to the claimant at a price
17 determined by the director to represent the fair market value of
18 unimproved land at the time the entry was established but in no event
19 less than the cost of administration including survey if required. If
20 the land has been conveyed by the state to a municipality, the direc-
21 tor shall enter into an agreement under AS 38.50 with the municipality
22 for a reasonable exchange of land so that the applicant may receive
23 the land that was the subject of the entry. As used in this subsec-
24 tion, a "past error or omission" includes

25 (1) inconsistent and erroneous advice from an employee of a
26 federal agency to the claimant regarding the status of the land sub-
27 ject to the entry;

28 (2) a failure of the federal agency to advise the claimant
29 of a change in the status of the land affecting the entry;

1 (3) a failure of the federal agency to advise the claimant
2 of a contest filed against the entry; or

3 (4) a failure of the federal agency to withhold the land
4 subject to the entry from land granted to the state under the Alaska
5 Statehood Act.