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Referred: Resources

6-0499A

1 IN THE SENATE

BY DUNCAN

2

SENATE BILL NO. 227

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - FIRST SESSION

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A BILL

6 For an Act entitled: "An Act relating to the inheritance of homesite entry
7 permits."

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

9 * Section 1. AS 38.08.040(c) is amended to read:

10 (c) The permit may not be assigned, conveyed, or in any manner
11 transferred except by testate or intestate succession, to a spouse
12 during marriage, by order of a court as part of a divorce settlement,
13 or to either a member of the immediate family or a grantee of the
14 applicant in the case of an extreme emergency or illness that disables
15 the applicant. An individual who has qualified for a homesite entry
16 permit under AS 38.08.030 and inherits, by testate or intestate suc-
17 cession, the unpatented homesite entry permit of another applicant may
18 be issued a patent to each entry if the individual qualifies under
19 AS 38.08.060(a), (b), (d), and (e) on each entry. An attempt to
20 assign, convey, or in any manner transfer the permit except as permit-
21 ted by this subsection is void and constitutes a substantial breach of
22 the permit.

23 * Sec. 2. AS 38.08.040(d) is amended to read:

24 (d) An applicant may apply for more than one available homesite.
25 A person holding a homesite patent may not apply for a homesite entry
26 permit. Except as provided in (c) of this section and AS 38.08.-
27 060(f), a person may not simultaneously hold more than one homesite
28 entry permit. A [, AND A] person who is a member of the homesite
29 entry permit holder's household may not be issued a homesite entry

1 permit while a member of the homesite entry permit holder's household.
2 * Sec. 3. AS 38.08.060 is amended by adding a new subsection to read:
3 (f) Notwithstanding (c) of this section, an applicant who inher-
4 its the homesite entry permit of another applicant may qualify under
5 this section for each homesite entry, may use the efforts of the
6 deceased applicant to qualify for the patent to the inherited entry,
7 and may be issued a patent under this section.