



LAWS OF ALASKA

1983

Source

SB 260 am H

Chapter No.

97

AN ACT

Relating to exemption from municipal property taxation of certain property exempt from taxation under federal law; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 11

Permitted to Become Law Without Signature
Actual Effective Date: January 1, 1984

AN ACT

Relating to exemption from municipal property taxation of certain property exempt from taxation under federal law; and providing for an effective date.

* Section 1. AS 29.53.020(a) is amended by adding a new paragraph to read:

(9) real property or an interest in real property that is exempt from taxation under 43 U.S.C. 1620(d), as amended.

* Sec. 2. AS 29.53.020 is amended by adding new subsections to read:

(k) For the purpose of determining property exempt under (a)(9) of this section, the following definitions apply to terms used in 43 U.S.C. 1620(d) unless superseded by applicable federal law:

(1) "developed" means a purposeful modification of the property from its original state that effectuates a condition of gainful and productive present use without further substantial modification; surveying, construction of roads, providing utilities or other similar actions normally considered to be component parts of the development process, but which do not create the condition described in this paragraph, do not constitute a developed state within the meaning of this paragraph; developed property, in order to remove the exemption, must be developed for purposes other than exploration, and be limited to the smallest practicable tract of the property actually used in the developed state;

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1 (2) "exploration" means the examination and investigation
2 of undeveloped land to determine the existence of subsurface nonrenew-
3 able resources;

4 (3) "lease" means a grant of primary possession entered
5 into for gainful purposes with a determinable fee remaining in the
6 hands of the grantor; with respect to a lease that conveys rights of
7 exploration and development, this exemption shall continue with re-
8 spect to that portion of the leased tract that is used solely for the
9 purpose of exploration.

10 (1) If property or an interest in property that is determined
11 not to be exempt under (a)(9) of this section reverts to an undevel-
12 oped state, or if the lease is terminated, the exemption shall be
13 granted, subject to the provisions of (a)(9) and (k) of this section.

14 * Sec. 3. This Act takes effect January 1, 1984.