

# Alaska State Legislature

Session:  
State Capitol, Room 427  
Juneau, AK 99801-1182  
Phone: (907) 465-2828  
Fax: (907) 465-4779



Interim:  
145 Main Street Loop Rd. #226  
Kenai, AK 99611  
Phone: (907) 283-7996  
Fax: (907) 283-8127

**Senator Tom Wagoner**  
**Kenai/Soldotna**

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**Contact: Senate Majority Press Office - 465-3803**

## **Repeal of 800 year old Doctrine Heads to Governor** **Private Landowners Rights More Protected with Passage of SB 93**

(Juneau) – “Squatter’s Rights” maybe facing its final days in Alaska, as Sen. Tom Wagoner’s (R-Kenai/Soldotna) Senate Bill 93 to repeal certain aspects of Alaska’s adverse possession law heads to the governor for his signature.

The “Doctrine of Adverse Possession” first came on the scene during the “Middle Ages.” With its enactment anyone, including squatters, could receive title to property simply because they lived on the property, regardless who the legal property owner was. It is a doctrine the State of Alaska still employs and Wagoner says it is time for a change.

“Our law, right now, allows a person who has no claim of ownership to squat on someone else’s property and as a result of their illegal trespass the squatter could actually secure title to the property they are squatting on,” said Wagoner. “That is simply legal thievery – to me that is offensive and it needs to stop.”

If signed by the governor SB 93 would give private property owners the ability to eject a bad faith “squatter” and recover their real property at any time. State and federal governments have exempted themselves from these laws making it impossible to gain state land through adverse possession; it only applies to private land ownership.

“In Alaska especially, many people buy large parcels of land, often that land is very remote and this doctrine puts undue hardships upon those landowners to police their property,” said Wagoner. “This bill simply accords equal dignity and protection to private land ownership, already afforded to the government.”

When the 10-year time limit was removed provisions had to be put back in to maintain useful aspects of the doctrine of adverse possession, these include:

- Boundary disputes will continue to be settled through adverse possession;
- Maintaining public services, such as highways, roads or trails in which the people or the State have a vested interest; and
- When for a period of 10 years or longer the land has been used for gaining easements for utility purposes.

In these cases disputes will be dealt with and settled as they are currently.

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