

Original sponsor: Gardiner

Offered: 4/30/76

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 411 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to land sales or leases for agri-
7 cultural purposes."

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

9 * Section 1. AS 38.05.069(a) is amended to read:

10 (a) If the director determines that the highest and best use of
11 unoccupied land is for agricultural purposes, he shall grant to an
12 Alaskan resident owning and using or leasing and using land for agri-
13 cultural purposes a 60-day first option after [FROM] the date of the
14 auction [THE LAND BECOMES AVAILABLE TO THE PUBLIC OR 90 DAYS FROM THE
15 EFFECTIVE DATE OF THIS SECTION, WHICHEVER IS LATER,] to purchase or
16 lease unoccupied land situated adjacent to or in the approximate
17 vicinity of his presently held land for the amount of the high bid
18 received at public auction; provided the aggregate number of acres
19 owned and acquired under the option shall not exceed 320 [640] acres;
20 and further provided that the land acquired under this section is used
21 for agricultural purposes as required by law. Offers to exercise an
22 option to purchase or lease for the amount of the high bid shall be
23 accorded priority in order of time received by the director [FOR AT
24 LEAST ONE YEAR FOLLOWING PURCHASE].

25 * Sec. 2. AS 38.05.069(c) is repealed and re-enacted to read:

26 (c) Under this section

27 (1) the director may convey or lease an interest in the land
28 only for agricultural purposes, and all other interests in the land
29 remain in the state; the sale or lease shall be at public auction;

1 (2) the remaining interests may subsequently be conveyed or
2 leased by the director only upon the request of the grantee or lessee or
3 his assigns and the determination of the director, with the written
4 concurrence of the commissioner, that the conveyance or lease is in the
5 public interest;

6 (3) the conveyance or lease of the remaining interests shall
7 be at public auction; the original grantee or lessee or his assigns have
8 a preference right to meet the high bid within 30 days after the day of
9 the auction; if the right is exercised, the value of improvements owned
10 by the holder of the preference right, included with the remaining
11 interests sold, shall be deducted from the purchase price;

12 (4) by requesting the conveyance or lease of the remaining
13 interest, the original grantee or lessee or his assigns

14 (A) consents to the sale or lease, and

15 (B) if the preference right provided by (3) of this
16 subsection is not exercised, consents to sell at fair market value
17 the improvements related to the remaining interest, as appraised by
18 the director;

19 (5) the remaining interests in the land may not be conveyed
20 or leased for less than their appraised value together with improvements
21 except for the deduction allowed by (3) of this subsection.

22 * Sec 3. AS 38.05 is amended by adding a new section to read:

23 Sec. 38.05.321. RESTRICTION ON SALE OR LEASE OR OTHER DISPOSAL OF
24 AGRICULTURAL LAND. No state land classified as agricultural land may be
25 sold, leased or otherwise disposed of in a manner inconsistent with sec.
26 69 of this chapter.
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