Introduced: 3/14/77
Referred: Resources and Finance

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

IN THE HOUSE

HOUSE BILL NO. 348

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to assessment of farm use lands."

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

* Section 1. AS 29.53.035(a) is amended to read:

(a) Farm use lands included in a farm unit and not dedicated or being used for nonfarm purposes shall be assessed on the basis of full and true value for farm use [, AND SHALL NOT BE ASSESSED AS IF SUBDIVIDED OR USED FOR SOME OTHER NONFARM PURPOSE]. The assessor shall maintain records valuing the farm use land for both full and true value and farm use value. Should the farm use land be sold, leased, or otherwise disposed of for uses incompatible with farm use or be converted to a use incompatible with farm use by the owner, the owner is liable to pay an amount equal to the additional tax at the current mill levy together with eight per cent interest for the preceding seven years, as though the land had not been assessed for farm use purposes. Payment by the owner shall be made to the state to the extent of its reimbursement for revenue loss under (e) of this section for the preceding seven years, plus interest. The balance of the payment, if any, shall be made to the city or borough.

* Sec. 2. AS 29.53.035(e) is amended to read:

(e) Subject to legislative appropriations for the purpose, the state shall reimburse a borough or city, as appropriate, for the real property tax revenues lost to it by the operation of this section. A reimbursement under this subsection is a lien in favor of the state against the property for which a partial tax deferred payment has been

approved and granted. Upon recordation in the recording office of the district in which the property is situated, the lien is prior and superior to other liens against the property except for taxes due the municipality under this chapter. The Department of Law may enforce a lien arising under this subsection as provided in AS 09.45.170 - 09.45.220. The lien becomes enforceable on change of use of the land to a purpose not compatible with farm use.