

Introduced: 1/16/79
Referred: Resources

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 29

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

9 (a) Farm use lands included in a farm unit and not dedicated or
10 being used for nonfarm purposes shall be assessed on the basis of full
11 and true value for farm use, and shall not be assessed as if sub-
12 divided or used for some other nonfarm purpose. The assessor shall
13 maintain records valuing the farm use land for both full and true
14 value and farm use value. Should the farm use land be sold, leased,
15 or otherwise disposed of for uses incompatible with farm use or be
16 converted to a use incompatible with farm use by the owner, the owner
17 is liable to pay an amount equal to the deferred [ADDITIONAL] tax
18 payments [AT THE CURRENT MILL LEVY] together with eight per cent
19 interest for the preceding seven years, as though the land had not
20 been assessed for farm use purposes. Payment by the owner shall be
21 made to the state to the extent of its reimbursement for revenue loss
22 under (e) of this section together with interest for the preceding
23 seven years. [THE BALANCE OF THE PAYMENT SHALL BE MADE TO THE CITY OR
24 BOROUGH.]

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

26 (e) Subject to legislative appropriations for the purpose, the
27 state shall reimburse a borough or city, as appropriate, for the real
28 property tax revenues lost to it by the operation of this section. A
29 reimbursement under this subsection creates a lien in favor of the

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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.