

Introduced: 1/9/84
Referred: Resources and
Finance

1 IN THE HOUSE

BY BETTISWORTH

2

HOUSE BILL NO. 458

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to agricultural rights to land."

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

8 * Section 1. AS 38.05.069 is repealed and reenacted to read:

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Sec. 38.05.069. AGRICULTURAL LAND. (a) If the commissioner has conveyed or leased state land only for agricultural purposes, the remaining interests retained by the state shall be conveyed or leased by the commissioner on the request of the grantee or lessee or the assigns of the grantee or lessee. The commissioner shall convey or lease the remaining interests without compensation to the state except for administrative costs of the conveyance or lease.

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(b) The commissioner may not transfer an interest under (a) of this section to a person who is in arrears on the purchase or lease of the land. Before conveying or leasing under (a) of this section, the commissioner may require the submission of a development plan with covenants specified by the commissioner regarding agricultural use of the land.

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(c) An Alaska resident may submit to the commissioner a request for the sale or lease for agricultural purposes of unoccupied state land situated adjacent to or in the approximate vicinity of land presently used for agricultural purposes and held by the resident. If the resident submits with the request a development plan that contains covenants specified by the commissioner regarding the agricultural use of the land and if the commissioner determines that it is in the best interests of the state to sell or lease the unoccupied state land for

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1 agricultural purposes, the commissioner shall grant to a resident
2 owning and using or leasing and using land for agricultural purposes a
3 60-day first option after the date of the public auction to purchase
4 or lease the unoccupied land for the amount of the high bid received
5 at public auction. A parcel of agricultural land transferred under
6 this subsection may not be less than 20 acres.

7 (d) Land that is acquired under (c) of this section shall be
8 used consistently with covenants required in the development plan
9 specified by the commissioner.

10 (e) If more than one person files a request under (c) of this
11 section for the same land and each person owns or leases land situated
12 adjacent to or in the approximate vicinity of the state land, the
13 commissioner shall determine priority among the applicants for the
14 state land under the following standards:

15 (1) to the person who demonstrates the greatest need for
16 the unoccupied land in order to establish an economic unit;

17 (2) to the person who occupies land that is most readily
18 accessible to the unoccupied land to be sold or leased if two or more
19 persons have qualified under (1) of this subsection;

20 (3) to the veteran if two or more persons have qualified
21 under (1) and (2) of this subsection;

22 (4) by lot if two or more persons have qualified under (1),
23 (2) and (3) of this subsection.

24 (f) When not in conflict with this section, other provisions of
25 AS 38.05.045 - 38.05.105 apply to disposals under this section.

26 (g) Nothing in (a) of this section affects the disposal of
27 minerals under AS 38.05.135 - 38.05.183.

28 (h) For the purposes of this section,

29 (1) "agricultural purposes" includes farming, ranching,

1 grazing, and storage or control of agricultural crops or livestock;

2 (2) "approximate vicinity" includes an area in which the
3 land does not have a common boundary to presently held land or in
4 which the land is physically separated from presently held land by any
5 type of barrier.

6 * Sec. 2. The commissioner of natural resources shall advise the
7 owners, lessees, and the assignees of owners or lessees of land limited to
8 agricultural uses of the changes in the law made by this Act.

9 * Sec. 3. AS 38.05.321(a) is repealed.