

Offered: 4/11/84  
Referred: Finance

Original sponsors: Bettisworth and Shultz

1 IN THE HOUSE BY THE RESOURCES COMMITTEE  
2 CS FOR HOUSE BILL NO. 458 (Resources)  
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 AS 38.05.059 is repealed and reenacted to read:

9 Sec. 38.05.059. LIMITATIONS AND CONDITIONS ON SALE OR LEASE OF  
10 AGRICULTURAL LAND. (a) A person may purchase from the state not more  
11 than one parcel of land that is part of an agricultural development  
12 project under AS 44.33.475 during any eight-year period.

13 (b) In a sale or other disposal of state land classified as  
14 agricultural land the use of the land shall be restricted. The com-  
15 missioner shall convey a fee simple conditional title to the surface  
16 estate subject to a condition subsequent that the land be used only  
17 for agricultural purposes. The commissioner shall reserve a right of  
18 reentry after notice and an opportunity for a hearing if the land is  
19 used for other than agricultural purposes. A reversion of title upon  
20 reentry does not affect the validity of a prior lien or security  
21 interest on the land.

22 (c) The lessee of state agricultural land shall receive a lease-  
23 hold interest in the surface estate subject to the condition subse-  
24 quent that the land leased be used only for agricultural purposes.

25 (d) As a condition to the issuance of a lease or a contract of  
26 sale of state land classified as agricultural land, the commissioner  
27 may require a farm development agreement and the submission of a  
28 conservation plan that establish reasonable requirements based on  
29 economic feasibility of development and sound agricultural principles.

1 (e) The commissioner may not convey title under (b) of this  
2 section to a person who

3 (1) is in arrears on the purchase or lease of agricultural  
4 land; or

5 (2) has not complied with a farm development agreement or  
6 conservation plan required by the commissioner.

7 (f) In this section, "agricultural purposes" includes farming,  
8 ranching, grazing, and storage or control of agricultural crops or  
9 livestock, and the construction of the farm residence of the grantee  
10 or lessee as well as other buildings commonly needed for agricultural  
11 purposes on not more than 20 acres of the land transferred under this  
12 section.

13 \* Sec. 2. AS 38.05.321(a) is repealed.