

Introduced: 1/14/85
Referred: Resources
and Finance

1 IN THE SENATE

BY COGHILL

2

SENATE BILL NO. 42

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST 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 AS 38.05.059 is repealed and reenacted to read: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) As a condition to the issuance of a lease or a contract of
23 sale of state land classified as agricultural land, the commissioner
24 may require a farm development agreement and the submission of a
25 conservation plan that establish reasonable requirements based on
26 economic feasibility of development and sound agricultural principles.

27 (d) A person purchasing land from the state under (a) - (c) of
28 this section may request the commissioner to modify or remove condi-
29 tions imposed in the purchase. A condition may be modified or removed

1 only on agreement between the grantee or the successor in interest of
2 the grantee and the commissioner.

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

6 (f) The commissioner may not convey title under (b) of this
7 section to a person who has not complied with a farm development
8 agreement or conservation plan required by the commissioner.

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

15 * Sec. 2. AS 38.05.321(a) is repealed.