

Introduced: 1/19/87  
Referred: Resources and  
Finance

5-0103A

1 IN THE SENATE

BY COGHILL

2

SENATE BILL NO. 23

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH 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 AS 38.05.059 is repealed and reenacted to read: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) During any eight-year period, a person may  
11 purchase from the state not more than one parcel of land that is part  
12 of an agricultural development project under former AS 44.33.475.

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