



Original sponsors: Bettisworth and Shultz

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 458 (Finance)

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 38.05.020(b) is amended to read:

9 (b) The commissioner may

10 (1) establish reasonable procedures and adopt reasonable  
11 [RULES AND] regulations necessary to carry out this chapter and [MAY],  
12 whenever necessary, issue directives or orders to the director to  
13 carry out specific functions and duties; [ALL RULES AND] regulations  
14 adopted by the commissioner shall be adopted under the Administrative  
15 Procedure Act (AS 44.62); orders by the commissioner classifying land,  
16 [LANDS] issued after January 3, 1959, are not required to be adopted  
17 under the Administrative Procedure Act (AS 44.62);

18 (2) enter into agreements considered [WHICH HE CONSIDERS]  
19 necessary to carry out the purposes of this chapter, including agree-  
20 ments with federal and state agencies;

21 (3) review any order or action of the director;

22 (4) exercise the powers and do the acts necessary to carry  
23 out the provisions and objectives of this chapter;

24 (5) notwithstanding the provisions of any other section of  
25 this chapter, grant an extension of the time within which payments due  
26 on any lease or sale of state land, minerals, or materials may be  
27 made, including payment of rental and royalties, on a finding [IF HE  
28 FINDS] that compliance with the requirements is or was prevented by  
29 reason of war, riots, or acts of God; [.]

1 (6) classify tracts for agricultural uses and require the  
2 prequalification, including the submission of conservation plans,  
3 development plans, or other plans, schedules, or programs, of persons  
4 who apply to participate in an agricultural development project under  
5 AS 44.33.475;

6 (7) waive, postpone, or otherwise modify the development  
7 requirements of a contract for the sale of agricultural land if

8 (A) the land is located in a remote area of the state;

9 and

10 (B) transportation, marketing, and development costs  
11 render the required development uneconomic.

12 \* Sec. 2. AS 38.05.059 is repealed and reenacted to read:

13 Sec. 38.05.059. LIMITATIONS AND CONDITIONS ON SALE OR LEASE OF  
14 AGRICULTURAL LAND. (a) During any eight-year period, a person may  
15 purchase from the state not more than one parcel of land that is part  
16 of an agricultural development project under AS 44.33.475.

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

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

29 (d) As a condition to the issuance of a lease or a contract of

1 sale of state land classified as agricultural land, the commissioner  
2 may require a farm development agreement and the submission of a  
3 conservation plan that establish reasonable requirements based on  
4 the economic feasibility of development and sound agricultural princ-  
5 iples.

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

8 (1) is in arrears on the purchase or lease of agricultural  
9 land; or

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

12 (f) On the request of a person who is receiving land or an  
13 interest in land under (b) or (c) of this section, the commissioner  
14 shall transfer not more than 20 acres of the land without the title  
15 restrictions required under (b) or (c) of this section for the con-  
16 struction of a farm residence or other buildings needed for agricul-  
17 tural purposes. The land transferred under this subsection may not be  
18 subdivided. The authority of the commissioner to grant or lease not  
19 more than 20 acres of land without title restrictions under this  
20 subsection applies only to the initial transfer of the land from the  
21 state.

22 (g) In this section, "agricultural purposes" includes farming,  
23 ranching, grazing, and storage or control of agricultural crops or  
24 livestock, and the construction of the farm residence of the grantee  
25 or lessee and other buildings commonly needed for agricultural pur-  
26 poses on not more than 20 acres of the land transferred under this  
27 section.

28 \* Sec. 3. AS 38.05.321(a) is repealed.  
29

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 4/25/84

REQUEST

Bill/Resolution No.: CSHB 458 (Fin)  
Title: re: Agricultural Rights to Land

FISCAL DETAIL

Agency Affected: Natural Resources  
Program Category Affected: NRI/EC

Sponsor: \_\_\_\_\_  
Requestor: \_\_\_\_\_  
Date of Request: \_\_\_\_\_

BRU, Program or Subprogram(s) Affected:  
NONE

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Frank Mielke Phone: 265-4347  
Division: Land & Water Management Date: 4/25/84

Approved by Commissioner: *M. D. Amundson*, Deputy Date: 4/25/84  
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

State of Alaska



# Patent

No. 5151

Know All Men By These Presents that the State of Alaska, in consideration of the sum of NINE THOUSAND SIX HUNDRED EIGHTY-ONE AND 00/100----- DOLLARS

lawful money of the United States, and other good and valuable considerations, now paid, the receipt whereof is hereby acknowledged, does hereby grant to \_\_\_\_\_

JOHN A. BAKER, a single man

Box 57, Talkeetna, Alaska 99676

and to

his heirs and assigns, all that real property situated in the Borough of Matanuska-Susitna

State of Alaska, and described as follows:

## AGRICULTURAL INTEREST ONLY

TRACT 9 OF ALASKA STATE LAND SURVEY NO. 79-109, LOCATED WITHIN THE BARTLETT HILLS ALASKA SUBDIVISION, TOWNSHIPS 25 AND 26 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, CONTAINING 196.81 ACRES, MORE OR LESS, ACCORDING TO THE SURVEY PLAT FILED IN THE TALKEETNA RECORDING DISTRICT ON MARCH 13, 1980 AS PLAT NO. 80-25.

SUBJECT TO:

PLATTED EASEMENTS.

CONDITIONS AND COVENANTS OF THE FARM CONSERVATION PLAN APPROVED BY THE DIRECTOR OF THE DIVISION OF AGRICULTURE OF THE DEPARTMENT OF NATURAL RESOURCES.

IF AT ANY TIME THE DIRECTOR OF THE DIVISION OF FOREST, LAND AND WATER MANAGEMENT OF THE DEPARTMENT OF NATURAL RESOURCES DETERMINES THAT THE GRANTEE OR HIS SUCCESSORS IN INTEREST HAS FAILED TO OBSERVE ANY PROVISION OR CONDITION OF THIS PATENT, THE DIRECTOR MAY DECLARE A FORFEITURE OF THIS CONVEYANCE AND TITLE HEREBY CONVEYED SHALL THEREUPON REVERT TO THE STATE OF ALASKA.

Alaska State Legislature



POUCH V  
JUNEAU, ALASKA 99811

REPRESENTATIVE

ROBERT H. "BOB" BETTISWORTH

211 CUSHMAN STREET  
FARBANKS, ALASKA 99701

April 24, 1984

M E M O R A N D U M

To: Representative Al Adams, Chairman House Finance Committee  
From: Representative Bob Bettisworth, *YHS*  
Subject: HB458 "An Act relating to agricultural rights to land".

As it was originally introduced HB458 attempted to cure existing defects in state patents to agricultural land by requiring the Commissioner of Natural Resources to convey retained interests at the request of the grantee or lessee provided certain conditions are met. The essential problem is that the present language of the agricultural patents is far too restrictive. The documents contain severe impediments to perfection of a security interest by potential lenders (other than the State of Alaska) and the ability of those potential borrowers to obtain title insurance for certain purposes. The state, under the present system, would be ahead of any other party in a situation where a grantee or lessee has not performed on a state contractual obligation. Discretion to re-enter, on the part of the state, is totally left up to the Department and other interests are not protected should the state elect to re-enter. This situation prevents commercial lending on housing or the ability to obtain title insurance where agricultural patents are involved.

The Resources CS differs from my original approach by causing the issuance of a fee simple conditional title. The condition being that if the land is used for other than agricultural purposes, as defined, the title can revert to DNR and prior liens and/or security interests are valid.

Other elements of the original bill including what the department may require of grantees or lessees--for example development plans, conservation plans and repayment of state loans--are retained.

## SECTIONAL ANALYSIS

### CSHB 458 (Resources)

Sec. 1. (a) would limit participation by a person in State ag land disposals to one time in any 8-year period.

(b) requires that land classified as agricultural be conveyed with a fee simple conditional title, with the condition being that if the land is used for other than agricultural purposes, the commissioner of DNR may reenter the land after notice and an opportunity for a hearing. It also provides that if the title reverts back to DNR, it will not affect the validity of a prior lien. This language, if passed into law, will make the title insurable by title insurance companies, and will then enable the parcel owner to obtain financing on farm dwellings.

(c) requires that State agricultural land that is leased be used only for agricultural purposes.

(d) clarifies the use by DNR of requisite farm development agreements and conservation plans, and requires that the plans establish "reasonable requirements" based on feasibility of development and sound agricultural principles.

(e) prohibits conveyance of title to anyone who is in arrears on payments, or has not completed the farm development agreement or conservation plan.

(f) provides a definition of "agricultural purposes", and includes in the definition the use of not more than 20 acres for construction of the farm residence and other buildings.

Sec. 2. repeals AS 38.05.321(a), the statute which currently sets forth that sale or lease of State agricultural land transfers only rights for agricultural purposes, with the State retaining all other rights. Provided CSHB 458 (Res) becomes law, this section would be unnecessary.



# Alaska State Legislature

HOUSE OF REPRESENTATIVES  
COMMITTEE ON RESOURCES

JOHN RINGSTAD, CO-CHAIRMAN  
RICHARD SHULTZ, CO-CHAIRMAN  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-3715

## MEMORANDUM

To: Bob O'Neill  
Bank of the North

From: John Manly *jm*  
House Resources Committee

Date: April 24, 1984

Re: CSHB 458 (Resources)

*Questions and  
response from Bank  
of the North on  
the changes made to  
the bill in CSHB 458 (Res)  
appear to support  
the bill.*

As per our earlier conversation, I have formulated several questions pertinent to the Finance Committee's consideration of the above-referenced bill which we would appreciate having your advice on.

I have also included with this memorandum several pieces of relative information, including the current version of the bill itself, the present statute, and a typical patent, as issued by DNR under the present statute.

The questions we would anticipate from members of the Finance Committee are, in general:

- 1) Why won't the banks loan under the present conditions?
- 2) How does the proposed change solve the problem of security, as far as the banks are concerned?
- 3) In the event the State reenters the land, who would the bank expect to make good on the financial commitment entered into by the borrower to the bank?



# BANK OF THE NORTH

---

April 25, 1984

TO: State of Alaska  
House Finance Committee

Subject: CSHB 458 (Resources)

Following are observations of a banker as they pertain to CSHB 458. I have had 27 years experience in banking including agricultural lending in California with Wells Fargo Bank.

In response to your questions regarding particulars of the proposed bill, I would like to offer:

1. Banks traditionally lend to borrowers for agriculture purposes taking a secured position involving land, equipment and crops as collateral. The only collateral with sustaining real value is land. If it is owned, title is transferred and held by the lending institution. If it is leased, the lease is assigned to the Bank. Depending on the circumstances of the particular borrowing, other collateral - equipment and crops (including proceeds of the sale of the harvest) is pledged to the bank.

Under the conditions imposed by the present statute the title of the property (land) is conveyed and reverts to the State of Alaska if the grantee has failed to observe certain provisions or conditions of the Patent. Any financial institution, using prudent banking policies and practices, would not accept title to property as collateral with this condition for a loan.

2. The proposed change to the Act is worded sufficiently in my opinion, to protect and support a lien placed by a financial institution to perfect a security interest in land being used by the borrower as collateral for a loan for agricultural purposes. If leased by the State of Alaska to a lessor for agricultural purposes, the financial institution would insist that the lease of the land be assigned to the lender. It is presumed that the State would not oppose such assignment.
3. Your question addresses a situation that occurs frequently by lenders - financial institutions or individuals. In this case the financial institution would be faced with the problem of assuming the responsibility of the grantee of the land - to maintain the land for agricultural purposes.

First, the lender would have to foreclose on the loan, and to the extent possible:

1. Harvest and sell the crops, applying the net proceeds of the sale to the loan balance.
2. Secure all equipment pledged by the borrower for the loan and sell it to obtain cash to apply to any balance remaining.

ALASKA NATIONAL BANK OF THE NORTH

Juneau Office One Sealaska Plaza, Suite 100 Juneau, Alaska 99801 (907) 586-2565

Member FDIC

April 25, 1984

If a balance were to remain after the above actions, this amount would probably be charged off as a loss.

Your question #3 presumes the State reentered the land because the land was not being used for agricultural purposes. This situation raises other questions - for the financial institution:

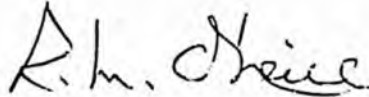
1. Who is responsible for clearing away any and all improvements that are not agriculturally related?
2. Who is responsible to find and qualify another grantee for the land? Who has approval authority - the State or the financial institution?

Note: In both questions above, I have assured that the financial institution still holds title to the land as collateral for a loan not paid in full.

If the loan were to be paid in full from the sale of crops and equipment the land would presumably revert to the State of Alaska and title released to the State, providing the grantee has no legal claim to the land.

I hope these observations and comments have been helpful.

ALASKA NATIONAL BANK OF THE NORTH



Robert M. O'Neill  
Vice President  
Branch Manager

RMO/dk

MEMORANDUM

TO: State of Alaska  
House of Representatives  
Resources Committee

FROM: Glen Prince *Glen Prince*  
Title Insurance Agency, Inc.  
Juneau, Alaska

DATE: April 4, 1984

RE: Committee Substitute for House Bill No. 458 (Resources)

The above Committee Substitute appears to be a positive approach to resolving the private mortgage problem currently troubling AS 38.05.321.

It is my opinion the title insurance industry would be willing to insure a lender as to the security of Mortgages or Deeds of Trust if the substitute were enacted.

February 15, 1984

Rep. John Ringstad  
Co-Chair House Resources Committee  
Pouch V  
State Capitol  
Juneau, Alaska 99811



Dear Rep. Ringstad:

This letter is in reference to HB 458, relating to ag rights. There are issues and concerns about the bill I would like to address.

Under current statutes it is impossible to obtain financing to build a home on State disposed ag land. There are absolutely no lending institutions that will consider financing a home on "ag rights only" land. If the State intends to promote absentee farming, agriculture is doomed to fail.

There is some concern that HB 458 would remove the Commissioners discretion to grant conveyances and eliminate the requirement that a best interest finding be made. This is best addressed by the philosophy of Dr. William R. Wood, (copy enclosed).

According to the Fairbanks Daily News Miner there are 1.8 million acres of State and Native owned, undeveloped ag land in the Tanana Valley alone. That figure does not include land owned by the Federal Government. The argument for the preservation of ag rights is deprived of practical significance when one considers those numbers. Another study I have read indicated that 99% of our entire State is owned by the Federal Government, State Government and Native Corporations with the State and Federal Government owning the lions' share. The remaining 1% is in the hands of private citizens. If true, that is unconscionable. Passage of HB 458 would help alleviate that situation. Passage of HB 458 NEEDS to happen!!!

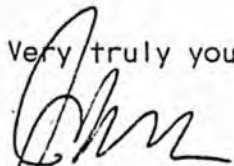
HB 458 would allow the State no compensation for interests currently in State retention. All lottery winners were charged a per acre price for the ag rights to their parcel. This price was established by the State and in most cases is a fair one to a degree. In order to address that concern I would like to explain my particular situation. My interest in this bill is as a parcel owner of 2 Mile Lake Ag Project. The parcel that we own the ag rights to contains 175 acres. The purchase price was \$170.00 per acre. That may seem to be an excellent deal to the uninitiated. However, that price is for undeveloped land which in many instances has no access. It is just the beginning. Development

Page 2  
Rep. John Ringstad

costs for clearing, disking and burning berm piles adds a minimum of \$200.00 per acre. When the cost of road building and utilities is added the cost per acre becomes even greater. It is important to bear in mind that a portion of most of the parcels is not suitable for agriculture. Our parcel contains some acreage that is so steep it is impossible to operate equipment on. Other parcels contain swamp land that is prohibitively expensive to drain. In light of this information, is it not possible that the compensation the State has already received is sufficient?

I appreciate the opportunity to share my views and hope that this letter has adequately addressed some legitimate concerns. I also welcome a chance to discuss these issues with you in the future.

Very truly yours,



James D. Blyth  
P. O. Box 55517  
North Pole, Alaska

Page 3  
Rep. John Ringstad

cc: Representatives:

Charlie Bussell  
Peter Goll  
Ronald A. Larson  
John Cowdery  
John J. Liska  
Rick Uehling  
Anthony Vaska  
Dick Shultz

Senators:

Jalmar Kerrulla  
Pat Rodey  
Mike Miller  
Don Bennett  
Bettye Fahrenkamp  
H. Pappy Moss  
Frank Furgeson  
Donald Gilman  
Bill Ray  
Robt. W. Ziegler, Sr.  
Dick Eliason  
Paul Fischer  
Vic Fischer  
Bob Mulcahy  
Arliiss Sturgulewski  
John Sackett  
Bob Bettisworth  
Barbara Lacher  
Al Adams  
Mike Davis  
Jim Duncan  
Joe Hayes  
Nillo Koponen

# William R. Wood shares his philosophy

18, 1981, we published the idea of weekly columns by William R. Wood. Now nearly later, we take the occasion R. and Dorothy Jane "Association Week" to share a few excerpts from 137 columns we've pub-

of the University of Alaska until his retirement in 1978 he ran for and won the city mayor, serving until served as the unpaid executor of the Fairbanks Improvement Corp., and Fesniks '84. He can be seen at any community function, in youth soccer games to Commerce luncheons. A bit of his philosophy, as it with our readers.

**On Fairbanks**  
From mid-September Fair-creation heaven for young, ages between. The long shine, moderate temper- low humidity encourage take advantage of the ex- y range of wholesome, recreation opportunities Fairbanks is a very special

—June 24, 1981

rtunities exist here is ev- the increasing interest in a variety of projects investors, even foreign in- developers—in agricul- tourism, housing—espe- dominiums and town- els, office buildings, pro- nts, service and supply refurbishing of existing revitalizing old line The list is more extensive f us realize and growing.

—Feb. 25, 1982

aska in winter is a very e to enjoy. Only the in- ould be indifferent or other seasons are attrac- larly autumn, but winter ne treasured by the few well. That number grows nd grows.

Feb. 2, 1983

**On Alaskans**  
e all the strength, com- patience, flexibility, ng and tolerance of one most of all bold action of ng to cope successfully raordinary affluence in e afloat.

—July 29, 1981

ents, even newcomers, perceive themselves as homesteaders. Rightly the deep seated convic- dence is better than they have yet to come to the notion of interdepend-

—Jan. 6, 1982

**Join in**  
You can still join the Fairbanks community in honoring Dr. William R. and Dorothy Jane Wood at a banquet Saturday night. Tickets for the dinner are \$40 each, with the proceeds to go toward a talent grant fund at the University of Alaska, in the Woods' names. The banquet will be at the Travelers Inn, with cocktails at 6 p.m. and dinner at 7 p.m.  
For tickets, call Kay Berry at Festival Fairbanks '84, 456-1984; B.G. Olson, 456-4644; the Chamber of Commerce in the First National Center, 452-1105; Karen Cedro at the University of Alaska, 474-7581, or Earl Beisiloe, 452-5356.

**On the state Legislature**  
To be a state legislator at any time is a tough assignment. In Alaska today it borders on "Mission Impossible." A legislator is seldom thanked, almost never during the session, and rarely applauded.

—May 7, 1981

Unfortunately, when one is elected by a majority vote of the people, there surfaces a very human weakness to assume an aura of invincibility, omniscience, and omnipotence that quickly gains control over such matters as humility, common sense, and sound judgement.

—Aug. 3, 1983

In trying to be all things to all people, primarily to insure reelection, the battle to achieve solid results for the common good, is lost almost before the session gets under way.

—Dec. 21, 1983

**On holding local elected office**  
If you have a strong desire to do something worthwhile that will improve conditions for others as well as yourself, your family, and your immediate friends, give seeking elective public office a try.

May 19, 1982

As a condition of candidacy let there be a new requirement: to be fulfilled before one's name may be printed on a ballot: a solid, practical course of instruction or training program both on what local government is and is not and on the real opportunities/responsibilities of local legislative bodies. Such a common-sense program could be devised by knowledgeable, concerned thoughtful citizens.

—June 8, 1983

**On democracy**  
It has been observed by many, both great and not so great, that our democratic government was founded in hope and in trust upon great ideals. But it has been ideas, creative and innovative, under these ideals that have built a great nation of free and independent people. An exceptionally idealistic people, extraordinarily strong in ideas.

—June 23, 1982

**On voting**  
The privilege, eagerly sought elsewhere in the world, is a personal obligation to oneself, one's family and neighbors. To ignore making good use of the privilege, so very rare in the long scroll of human history, is to lose it.

—Oct. 27, 1982

**On Alaska's natural beauty**  
In the high latitudes there is always wonder, a continuous change in light effects, a pulsing tide of day and night from all-sun to the long light-nights and the aurora. There are subtle shades of color to charm the eye and delight the heart at all seasons, particularly during the winter and the autumn time. There are the fresh clean smells of the air and the land that change with the season and the weather. This is a place to enjoy as well as to be one's self, one's extra-ordinary self.

—Feb. 3, 1982

Return of the sun, the blush of spring upon the willows, the crisp, clear air, and the great blue bowl of sky, all are ours. Morning light and evening light, matchless pastels that rim the far horizon, muted horizontal rainbows of sheer delight, these too, are ours, and always the blue-gray haze embracing the distant hills.

—April 7, 1982

Let the winter come more gradually, please, while autumn glories slowly fade. Give us all a chance to simmer down from summer's hectic pace.

—Oct. 20, 1982

To see the geese in graceful flight coming north once more is to believe that everything is about to be better. Suddenly one feels stronger, sees further with less clouded vision a brighter promise.

—April 6, 1983

**On natural resource development**  
Idle natural resources with legitimate use potential are costly. To use wisely is not to destroy, not to waste.

—April 15, 1981

Any sober, realistic, objective appraisal of the prospects for sensible industrial development of Interior Alaska's resources must be an optimistic one.

—Jan. 6, 1982

**On litter**

After scores of talk talk groups have been organized and reorganized, a zillion meetings held, a consensus has been reached: "Somebody ought to do something for Fairbanks sometime!"

Why not? And now it's all very simple. To attract interest of others, let Fairbanks first do something for itself."

—April 8, 1981



**DR. WILLIAM R. WOOD**  
*Optimistic about Fairbanks*

There is no excuse for litter, for debris, for any matter out of place that offends by sight, sound, or smell. When the ugliness of litter becomes a health hazard, why is it tolerated? When a people become prone to littering, when littering permeates the behavioral pattern of a community, there is something wrong. Is it ignorance? Indifference? Individual arrogance? Or what?

—Jan. 19, 1983

**On Arctic research**  
The United States urgently needs an Arctic research policy. It is long overdue.

Dec. 9, 1981

What we don't know about the high latitudes of Alaska, its resources and its longtime residents is enormous—with a welter of perplexing relationships and conflicts in the making.

—April 14, 1982

**On agriculture**  
In Alaska the most serious obstacle to developing a sound basic agricultural industry is not climate, nor lack of capital, nor distance from major markets, but the underlying attitude prevailing in government and seemingly permeating throughout the private sector: that public lands have become too precious to be entrusted to the care of the private citizen.

—March 17, 1982

**On historic preservation**  
There is no standing still in community or neighborhood life. The movement, the pressures, the compelling forces, are either toward improvement or toward deterioration.

—Aug. 12, 1981

**On libraries**

Put simply, a library of excellence in every state is a necessity for the well being and survival of the nation and its people. In our state, clearly worthy of appreciative applause, is the Kasmuson Library of the University of Alaska.

—Nov. 18, 1981

Alaskans are cheating themselves and endangering their future by not getting on with the serious agriculture development effort that has begun.

—March 16, 1983

Offered: 4/11/84  
Referred: Finance

Original sponsors: Bettisworth and Shultz

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

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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  
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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  
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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  
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4 land; or

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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.

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:

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

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

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

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.