



LAWS OF ALASKA

1976

Source

SCS CSHE 411(Rules)

Chapter No.

71

AN ACT

Relating to land sales or leases for agricultural purposes.

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

* Section 1. AS 38.05.069(a) is amended to read:

(a) If the director determines that the highest and best use of unoccupied land is for agricultural purposes, he shall grant to an Alaskan resident owning and using or leasing and using land for agricultural purposes a 60-day first option after the date of the auction to purchase or lease unoccupied land situated adjacent to or in the approximate vicinity of his presently held land for the amount of the high bid received at public auction; provided the aggregate number of acres owned and acquired under the option shall not exceed 320 acres; and further provided that the land acquired under this section is used for agricultural purposes as required by law. Offers to exercise an option to purchase or lease for the amount of the high bid shall be accorded priority in order of time received by the director.

* Sec. 2. AS 38.05.069(c) is repealed and re-enacted to read:

(c) Under this section

(1) the director may convey or lease an interest in the land only for agricultural purposes, and all other interests in the land remain in the state; the sale or lease shall be at public auction;

(2) the remaining interests may subsequently be conveyed or leased by the director only upon the request of the grantee or lessee or his assigns and the determination of the director, with the written concurrence of the commissioner, that the conveyance or lease is in the public interest;

(3) the conveyance or lease of the remaining interests shall be at public auction; the original grantee or lessee or his assigns have a preference right to meet the high bid within 30 days after the day of the auction; if the right is exercised, the value of improvements owned by the holder of the preference right, included with the remaining interests sold, shall be deducted from the purchase price;

(4) by requesting the conveyance or lease of the remaining interest, the original grantee or lessee or his assigns

(A) consents to the sale or lease, and

(B) if the preference right provided by (3) of this subsection is not exercised, consents to sell at fair market value the improvements related to the remaining interest, as appraised by the director;

(5) the remaining interests in the land may not be conveyed or leased for less than their appraised value together with improvements except for the deduction allowed by (3) of this subsection.

* Sec 3. AS 38.05 is amended by adding a new section to read:

Sec. 38.05.321. RESTRICTION ON SALE OR LEASE OR OTHER DISPOSAL OF AGRICULTURAL LAND. No state land classified as agricultural land may be sold, leased or otherwise disposed of in a manner inconsistent with sec. 69 of this chapter.