Introduced: 3/20/85
Referred: Resources and Finance

1 IN THE HOUSE BY SHULTZ AND MARROU

2 HOUSE BILL NO. 300

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 the splitting and combining of
7 agricultural parcels."

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

9 * Section 1. AS 38.05 is amended by adding a new section to read:

10 Sec. 38.05.064. SPLITTING AND COMBINING OF AGRICULTURAL PARCELS.

11 (a) The commissioner may allow a person who has purchased a parcel of
12 agricultural land under this chapter that is part of an agricultural
13 development project to split the parcel by selling portions of the
14 parcel or to combine it with other parcels by purchasing a parcel from
15 a private seller.

16 (b) If a parcel is split under this section, no more than one
17 farmstead may be maintained for each 320 acre parcel resulting from
18 the split. If parcels are combined, there is no limit on the size of
19 the resulting parcel, but no more than one farmstead may be maintained
20 on the resulting parcel. A farmstead may not exceed 20 acres.

21 (c) The commissioner may not allow a parcel to be split or
22 combined under this section unless

23 (1) the commissioner makes a written finding that the
24 proposed split or combination is necessary to promote the public
25 interest; in making this determination the commissioner shall consider
26 whether the split or combination will encourage development of the
27 state's agricultural resources, prevent economic waste, and protect
28 all interested parties including the state;

29 (2) for each parcel resulting from a split or combination,

1 an agricultural development agreement is entered into with the state
2 and approved by the commissioner;
3 (3) the application for the split or combination of parcels
4 designates an operator for each of the proposed resulting parcels;
5 (4) the commissioner provides public notice of, and an
6 opportunity for a hearing and written comment regarding, a proposed
7 split or combination; and
8 (5) the commissioner makes available to the public a writ-
9 ten explanation of the proposed split or combination, information on
10 how to obtain a copy of the application for the proposed split or
11 combination, and the proposed agricultural development agreements.
12 (d) The commissioner may adopt regulations to implement this
13 section.