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Referred: Resources and  
Finance

1 IN THE SENATE

BY KERTTULA

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SPONSOR SUBSTITUTE FOR SENATE BILL NO. 155

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - SECOND SESSION

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A BILL

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For an Act entitled: "An Act relating to the partition of agricultural  
parcels."

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

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

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Sec. 38.05.064. PARTITION OF AGRICULTURAL PARCELS. (a) The

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commissioner may allow a person who has purchased and received a

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patent to a parcel of agricultural land that is part of an

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agricultural development project to partition the parcel by selling

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portions of the parcel.

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(b) If a parcel is partitioned under this section, no more than

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one farmstead may be maintained for each 640-acre parcel resulting

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from the partition. A farmstead may not exceed 20 acres.

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(c) The commissioner may not allow a parcel to be partitioned

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under this section unless

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(1) the commissioner makes a written finding that the

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proposed partition is necessary to promote the public interest; in

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making this determination the commissioner shall consider whether the

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partition will encourage development of the state's agricultural

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resources, prevent economic waste, and protect all interested parties

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including the state;

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(2) for each parcel resulting from a partition under this

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section, an agricultural development agreement is entered into with

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the state and approved by the commissioner;

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(3) the application for the partition of parcels designates

1 an operator for each of the proposed resulting parcels;

2 (4) the commissioner provides public notice of and an  
3 opportunity for a hearing and written comment regarding a proposed  
4 partition; and

5 (5) the commissioner makes available to the public a writ-  
6 ten explanation of the proposed partition, information on how to  
7 obtain a copy of the application for the proposed partition, and the  
8 proposed agricultural development agreements.

9 (d) The commissioner may adopt regulations to implement this  
10 section.