



# LAWS OF ALASKA

1968

Source

CSSB 292

Chapter No.

154

## AN ACT

To promote and render feasible the production and utilization of small grains in Alaska.

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

\* Section 1. The purpose of this Act is to increase small grain production and utilization in Alaska, and to achieve within seven years of the passage of the Act a reasonable stabilization between the production of small grain in the state and the utilization of the grain.

\* Sec. 2. AS 03 is amended by adding a new chapter to read:

#### CHAPTER 19. SMALL GRAIN INCENTIVE PROGRAM.

Sec. 03.19.010. ESTABLISHMENT OF PROGRAM. The division of agriculture shall establish and administer a small grain incentive program according to the provisions of this chapter.

Sec. 03.19.020. PROCLAMATION OF PROGRAM ACREAGE. The director shall publicly proclaim a program acreage for each of the small grains on which incentive payments may be earned through participation in the small grain incentive program. The acreage may not exceed 150 per cent of the estimated utilization of small grains during the year immediately following harvest.

Sec. 03.19.030. INCENTIVE PAYMENT RATE. (a) The director shall publicly proclaim annually the incentive payment rate established for each of the small grains and determine the cost of producing grain in the various areas of the state.

(b) The incentive payment per ton for an area shall be adjusted to equitably reflect the variation in area

production costs and may not

(1) when added to any federal price support payment, produce a sum in excess of 120 per cent of the production cost as previously determined by the director;

(2) exceed \$35 the first year nor exceed \$30 for any year thereafter;

(3) in 1971 exceed 80 per cent of the rate paid in that area in 1969;

(4) in 1972 exceed 60 per cent of the rate paid in that area in 1969;

(5) in 1973 exceed 40 per cent of the rate paid in that area in 1969;

(6) in 1974 exceed 20 per cent of the rate paid in that area in 1969;

(7) be paid for grain produced after 1974.

Sec. 03.19.040. REGULATIONS. The director shall promulgate regulations and policies to carry out the purposes of this chapter, including but not limited to regulations adequate to insure (1) the equitable rights of participation in the program; (2) the issuance of incentive payments earned by the participant; (3) the equitable division of proclaimed program acreage between small grain producers; and (4) the privilege of appeal to a higher administrative level where the producer has information leading to the conclusion of inequitable treatment or denial of rightful program benefits.

Sec. 03.19.050. ADMINISTRATION. (a) The director may with the concurrence of the commissioner of the Department of Natural Resources enter into a cooperative agreement with the Agricultural Stabilization and Conservation Service, of the United States Department of Agriculture, to delegate to the service part of the administrative functions related to the small grain incentive program except final determinations rendered on appeals filed by or for small grain producers.

(b) In the absence of a cooperative agreement with the United States Department of Agriculture the provisions of this chapter shall be carried out by a farmer-elected committee or committees possessing organizational structure and authority similar to the committee or committees utilized by the Agricultural Stabilization and Conservation Service, United States Department of Agriculture.

Sec. 03.19.060. ADMINISTRATIVE PROCEDURE ACT. This chapter is subject to the Administrative Procedure Act (AS 44.62).

Sec. 03.19.070. DEFINITIONS. In this chapter "director" means the director of the division of agriculture.