

Introduced: 3/11/67
Referred: Resources
and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 289

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the clearing of agricultural land;
7 and providing for an effective date."

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

9 * Section 1. AS 38 is amended by adding a new chapter to read:

10 CHAPTER 7. CLEARING AND DRAINING OF AGRICULTURAL LAND.

11 Sec. 38.07.010. SELECTION AND LEASE. (a) The commissioner may
12 select areas of state land classified as agricultural and contract for
13 the land to be cleared or drained or both at state expense. In this
14 selection and contracting, the commissioner shall be guided by the
15 recommendations of the U. S. Soil Conservation Service, the Alaska
16 Department of Fish and Game and the U. S. Fish and Wildlife Service.

17 (b) The land thus cleared or drained shall be put up for competi-
18 tive lease in lots of not less than 320 acres each.

19 Sec. 38.07.020. PROVISIONS OF LEASE. (a) The lease in sec.
20 10(b) of this chapter shall be for 10 years with an option for a
21 five-year renewal.

22 (b) Before a lessee can apply for ownership of the land, he
23 must crop the land for at least seven years. If a lessee does not
24 crop the land for at least seven years during his lease, the land shall
25 be open again for competitive lease.

26 (c) All rent the lessee has paid on the lease less interest on
27 appraised value, is to be applied toward the purchase price.

28 (d) There shall be included in the lease agreement a provision
29 prohibiting more than one farm unit on each half section of land.

HB 289 am S

- 1 -

1 **Sec. 38.07.030. OWNERS AND LESSERS INCLUDED.** (a) An owner of
2 agricultural land, or a lessee from the state of agricultural land, in
3 the general vicinity of the land to be cleared or drained under sec.
4 10(a) of this chapter may apply to the commissioner to have his land
5 cleared or drained or both along with the state land. The applicant's
6 land shall be included in the contract of land to be cleared or drained
7 if, in the discretion of the commissioner, the inclusion is feasible
8 and furthers the agricultural policies of the division.

9 (b) The cost of clearing privately-owned land shall be borne by
10 the landowner. For this purpose, he may borrow money according to the
11 requirements and provisions of the Alaska Agricultural Loan Act
12 (AS 03.10).

13 (c) The cost of clearing land leased from the state, including
14 but not limited to school, university, and mental health land, shall
15 be borne by the state. The lessee shall repay the cost over a 10-year
16 period at five per cent interest.

17 **Sec. 38.07.040. LAND CERTIFICATES.** The contracts in sec. 10(a)
18 of this chapter may provide for payment by the state in the form of
19 land certificates which shall be equivalent to cash in the purchase
20 of land credit from the state. The use of land credit certificates may
21 be applied in the manner prescribed by AS 19.30.090 and any regulations
22 adopted thereunder.

23 **Sec. 38.07.050. REGULATIONS.** The commissioner shall, guided by
24 recommendations of the U. S. Soil Conservation Service, the Alaska
25 Department of Fish and Game and the U. S. Fish and Wildlife Service,
26 promulgate regulations necessary to carry out the purpose of this
27 chapter.

28 **Sec. 38.07.060. DEFINITIONS.** In this chapter

29 (1) "cleared," "clear," and "clearing" mean the preparation

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

of the land for planting;

(2) "cropped" means the management of a domestic planting including harvest;

(3) "commissioner" means the commissioner of the Department of Natural Resources.

* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.