

Offered: 3/18/68  
Referred: Rules

Original sponsors: Smith and Waugaman

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

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CS FOR SENATE BILL NO. 292

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act to promote and render feasible the production  
and utilization of small grains in Alaska."

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

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\* Section 1. The purpose of this Act is to increase small grain produc-  
tion 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.

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

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CHAPTER 19. SMALL GRAIN INCENTIVE PROGRAM.

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

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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 shall not exceed 150 per  
cent of the estimated utilization of small grains during the year im-  
mediately following harvest.

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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.

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

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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

1 to the small grain incentive program except final determinations  
2 rendered on appeals filed by or for small grain producers.

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

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

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