

Original Sponsor: Orsini

Offered: 5/13/76
Referred: Rules

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 14 (Commerce)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to agricultural land."

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

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

9 Sec. 38.05.362. AGRICULTURAL LAND CLASSIFICATION. (a) Notwith-
10 standing any other provision of law, the commissioner, in consultation
11 with other appropriate agencies and entities, shall classify for use as
12 agricultural land

13 (1) no less than 80 per cent of the state-selected patented
14 or tentatively approved land which, on the effective date of this Act,
15 has been either

16 (A) classified as Class II or III land in detailed soil
17 surveys by the National Cooperative Soil Survey, or

18 (B) identified as meeting the requirements of Class II
19 or III land in reconnaissance or exploratory soil surveys by the
20 National Cooperative Soil Survey; and

21 (2) no less than 70 per cent of the state-selected patented
22 or tentatively approved land which is acquired after the effective date
23 of this Act and classified or identified as in (1) of this subsection.

24 (b) The commissioner shall make the classification required under
25 this section within three years from the effective date of this section.
26 Nothing in this section affects the selection rights of a borough or
27 city under AS 29.18.190 - 29.18.200 for areas selected as of July 1,
28 1977, or a valid existing claim, location, or entry under law, as of
29 July 1, 1976.

1 (c) After reasonable public notice and no sooner than 30 days
2 before classification under this section, the commissioner or his desig-
3 nee shall hold a public hearing in a central location in the vicinity of
4 the land to be classified, affording all interested persons an oppor-
5 tunity to be heard.

6 (d) After land is classified for agricultural use under (a) of
7 this section, a request for a change in the classification shall be sub-
8 mitted in writing to the commissioner. Within 20 days from the date the
9 request for a change is received, the commissioner shall schedule a
10 hearing, to be held within a reasonable period of time, affording all
11 interested persons the right to be heard. After a hearing, the deter-
12 mination of the commissioner as to approval of the change is final.

13 (e) The Department of Natural Resources shall promulgate regula-
14 tions to implement the provisions of this section within its jurisdic-
15 tion, including but not limited to the manner of state classification
16 under this section, and any other conditions or limitations necessary
17 for the protection and maintenance of land for agricultural use.
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