

Original Sponsors: Moss and Beirne

Offered: 4/10/81
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 38 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the development of small farms;
7 and providing for an effective date."

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

9 * Section 1. DECLARATION OF POLICY. It is the policy of the state to
10 promote the development and stability of small farms as a component of
11 Alaskan agriculture through the use of a cost-sharing program administered
12 by the department for clearing and breaking land in a manner consistent with
13 soil and water conservation policies.

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

15 CHAPTER 12. ALASKA SMALL FARM DEVELOPMENT ACT.

16 Sec. 03.12.010. ESTABLISHMENT OF PROGRAM. The department shall
17 establish and administer a program of cost sharing for the development
18 of small farms by offering financial assistance for the clearing and
19 breaking of land to owners or holders of agricultural rights to eligible
20 land.

21 Sec. 03.12.020. ELIGIBLE LAND. (a) Only land which the depart-
22 ment determines has agricultural capability is eligible for the cost-
23 sharing program under this chapter.

24 (b) Land which contains marketable commercial timber is not
25 eligible for cost-sharing money until the timber on that land has been
26 used.

27 (c) Land which is the subject of a long-term agricultural loan
28 for clearing under AS 03.10 is not eligible for cost-sharing money.

29 (d) In order for any land to be eligible for cost sharing under

1 this section all the land controlled by the person applying for cost-
2 sharing must be managed in a manner consistent with the principles of
3 soil and water conservation as determined by the department or the
4 Agricultural Stabilization and Conservation Service of the United
5 States Department of Agriculture.

6 Sec. 03.12.025. ELIGIBLE PERSONS. If the agricultural rights to
7 eligible land are held by a person other than the owner of the land,
8 the holder of those agricultural rights is the person eligible to
9 submit the development plan and to receive the money under the cost-
10 sharing program.

11 Sec. 03.12.030. DEVELOPMENT PLAN. (a) In order to receive
12 cost-sharing money from the department for the purpose of clearing and
13 breaking eligible land the owner of land or, if the agricultural rights
14 are held by a person other than the owner, the holder of agricultural
15 rights to the land must submit a development plan for approval by the
16 department.

17 (b) In preparing a development plan the owner of the eligible
18 land or the holder of agricultural rights to the land must obtain
19 technical services and consultation from the Agricultural Stabilization
20 and Conservation Service of the United States Department of Agriculture
21 or from other public agencies or private firms approved by the depart-
22 ment.

23 Sec. 03.12.040. LIMITATION ON COST-SHARING MONEY. The department
24 may pay a person with an approved development plan cost-sharing money
25 subject to the following limitations:

26 (1) 75 percent of the cost of clearing land up to a maximum
27 of \$200 per acre or 75 percent of the cost of breaking up land to a
28 maximum of \$100 per acre;

29 (2) \$7,500 per farm in one calendar year; and

1 (3) \$30,000 per farm.

2 Sec. 03.12.050. REPAYMENT OF COST-SHARING MONEY. (a) If eligible
3 land is not put into production as crop or pasture land within three
4 years after cost-sharing money is paid to the owner of the land or to
5 the holder of the agricultural rights to the land, the cost-sharing
6 money plus interest shall be repaid to the department by the recipient
7 of the money as required by the department by regulation.

8 (b) If eligible land does not remain in production as crop or
9 pasture land for at least five of the seven consecutive years after the
10 owner of the land or the holder of the agricultural rights to the land
11 receives cost-sharing money from the department, the cost-sharing money
12 plus interest shall be repaid to the department by the recipient of the
13 money as required by the department by regulation.

14 (c) In order to receive cost-sharing money the recipient shall
15 sign an agreement prepared by the department which clearly describes
16 his obligation to repay the cost-sharing money under the conditions set
17 out in this section.

18 Sec. 03.12.060. DEFINITION. In this chapter, "department" means
19 the Department of Natural Resources.

20 * Sec. 2. AS 03.12 is repealed on June 30, 1986.

21 * Sec. 3. This Act takes effect July 1, 1981.
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