

Introduced: 2/1/85  
Referred: Resources  
and Finance

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2

SENATE BILL NO. 120

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to agriculture; and providing for an  
7 effective date."

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

9 \* Section 1. AS 03.05.010(a) is amended to read:

10 (a) The commissioner of natural resources shall

11 (1) direct, administer, and supervise promotional and  
12 experimental work, extension services, and agricultural projects for  
13 the purpose of promoting and developing the agricultural industry  
14 within the state including such fields as horticulture, dairying,  
15 cattle raising, fur farming, grain production, vegetable production,  
16 and development of other agricultural products;

17 (2) procure and preserve all information pertaining to the  
18 development of the agricultural industry and disseminate that informa-  
19 tion to the public;

20 (3) assist prospective settlers and others desiring to  
21 engage in the agricultural industry in the state with information  
22 concerning areas suitable for agriculture and other activities and  
23 programs essential to the development of the agricultural industry in  
24 the state;

25 (4) review the marketing, financing, and development of  
26 agricultural products inside the state including transportation, with  
27 special emphasis upon local production, and negotiate for the market-  
28 ing of agricultural products of the state with federal and state  
29 agencies operating in the state; [AND]

1 (5) regulate and control the entry into the state and the  
2 transportation, sale or use inside the state of plants, seeds, vegeta-  
3 bles, fruits and berries, nursery stock, shell eggs, animal feeds,  
4 remedies and mineral supplements, fertilizers, and agricultural chemi-  
5 cals in order to prevent the spread of pests, diseases, or toxic  
6 substances injurious to the public interest, and to protect the ag-  
7 ricultural industry against fraud, deception and misrepresentation; in  
8 this connection the commissioner may require registration, inspection,  
9 and testing, and establish procedures and fees; and

10 (6) assist in the establishment of commodity marketing  
11 associations, make matching grants to commodity marketing associations  
12 to aid in their establishment, and adopt regulations to implement this  
13 paragraph.

14 \* Sec. 2. AS 03.10.040 is amended to read:

15 Sec. 03.10.040. CREATION OF FUND. There is an agricultural  
16 revolving loan fund, which may [SHALL] not exceed \$100,000,000,  
17 [\$75,000,000] to carry out the purpose of this chapter.

18 \* Sec. 3. AS 03.10.050(b) is amended to read:

19 (b) The board is composed of seven [FIVE] members appointed by  
20 the governor and confirmed by the legislature in joint session. Four  
21 [THREE] members must [SHALL] be persons with background and experience  
22 in Alaska agriculture. Members of the board serve for overlapping  
23 three-year terms. Members of the board are not entitled to receive  
24 compensation for their services, but are entitled to [SHALL] receive  
25 the same travel pay and per diem as provided by law for boards and  
26 commissions.

27 \* Sec. 4. AS 03.57.020 is amended to read:

28 Sec. 03.57.020. BOND REQUIRED. Each dealer is required to  
29 obtain and file with the director of the division of agriculture of

1 the Department of Natural Resources a bond in the amount of \$25,000  
2 [\$5,000]. The bond must [SHALL] be conditioned on the faithful per-  
3 formance of the legal duties of the dealer as set out in this chapter  
4 and the payment for vegetables purchased by the dealer. The bond is  
5 payable to the person injured to the extent of the damages. The  
6 aggregate liability of the surety for all breaches of the conditions  
7 of the bond may not [SHALL, IN NO EVENT,] exceed the amount of the  
8 bond. The surety may cancel the bond upon giving 30 days' notice in  
9 writing to the director, and after that is [THEREAFTER SHALL BE]  
10 relieved of any liability for a breach of condition occurring after  
11 the effective date of cancellation.

12 \* Sec. 5. AS 36 is amended by adding a new chapter to read:

13 CHAPTER 16. PREFERENTIAL USE OF ALASKA AGRICULTURAL PRODUCTS.

14 Sec. 36.16.010. USE OF LOCAL AGRICULTURAL PRODUCTS REQUIRED IN  
15 PURCHASES WITH STATE MONEY. In the purchase of agricultural products  
16 financed by state money, only agricultural products originating in  
17 this state may be used whenever competitively priced, available, and  
18 of like quality compared with agricultural products originating out-  
19 side the state.

20 Sec. 36.16.020. INSERTION OF CLAUSE IN CALLS FOR BIDS AND IN  
21 CONTRACTS. A clause containing the substance of AS 36.16.010 must be  
22 inserted in all calls for bids and in all contracts awarded that  
23 involve agricultural products.

24 Sec. 36.16.030. INSPECTION CERTIFICATE. Before purchase by the  
25 state, an agricultural product originating in this state must receive  
26 an inspection certificate from the commissioner of natural resources  
27 under AS 03.05.010 or the commissioner of environmental conservation  
28 under AS 03.05.011.

29 \* Sec. 6. AS 38.09.050(a) is amended to read:

1           (a) The commissioner shall issue a patent to homestead entry  
2 land if the permit holder

3           (1) resides and lives on the homestead entry land for not  
4 less than 25 months within five years after the issuance of the home-  
5 stead entry permit;

6           (2) completes an approved survey of the land within two  
7 years after the issuance of the permit or under AS 38.09.040(b);

8           (3) erects a habitable, permanent dwelling on the homestead  
9 within three years after the issuance of the homestead entry permit;

10          (4) brushes the boundaries of the land within 90 days after  
11 the issuance of the permit;

12          (5) clears and either puts into production or prepares for  
13 cultivation either 25 percent of the land classified for agricultural  
14 use or 50 percent of the suitable agricultural land, consisting of  
15 [HAVING] class II, [OR] III, and IV soils, whichever is less, within  
16 five years after issuance of the permit.

17 \* Sec. 7. Sections 1 and 2 of this Act take effect July 1, 1985.

18 \* Sec. 8. Sections 3 and 5 of this Act takes effect immediately in  
19 accordance with AS 01.10.070(c).