

ALASKA LEGISLATURE COMMITTEE FILES 1901-1902

1829

HRES

HB 31

-

HB 49

829

(g) To qualify to lease a remote parcel under this section, a person shall

- (1) at the time of application be 18 years of age or older;
- (2) submit proof, as required by regulation, that he has been a resident of the state for not less than one year immediately preceding the date his application was submitted; and
- (3) certify that he has not previously leased a remote parcel from the state within eight years immediately preceding the date of selection of a remote parcel.

Section 15. AS 38.05.078(a) is amended to read:

(a) A lessee of a remote parcel may purchase the land leased (USED FOR RESIDENTIAL PURPOSES IN A REMOTE PARCEL) if, before the expiration of the lease or (A RENEWAL OF THE) lease renewal, he

- (1) pays a deposit to the department equal to five percent of the fair market value of the land under (c) of this section;
- (2) surveys the (RESIDENTIAL) land; and
- (3) erects a habitable dwelling on the land

Section 16. AS 38.05.078(c) is amended to read:

(c) A lessee of a remote parcel may purchase land in the

(A) remote parcel under the terms specified in AS 38.05.065(b). The purchase price of land sold under this section shall be its fair market value as determined by the commissioner, less the total amount paid to the department in annual rental fees under AS 38.05.077(d) (3). The valuation date for determining the fair market value of land sold under this section is the date that the remote parcel, ^{was first} leased to the purchaser of the land (PLAT OF SURVEY) is approved by the commissioner.

Section 17. AS 38.08.010(b) is amended to read:

(b) Land classified as homesite entry land shall be divided into parcels not exceeding five acres in reasonably compact form, with boundaries conforming as nearly as practicable to natural geologic and topographic features. However, a parcel may exceed five acres if necessary to permit the design of a viable subdivision because of site-specific topographical features, soil conditions, on-site sewage disposal requirements, or water drainage or supply considerations.

Section 18. AS 38.08.040(b) is amended to read:

(b) If the number of applicants qualified for homesite entry exceeds the number of available homesites offered, or if several applicants apply and qualify for the same homesite, priority in award of an entry permit shall be accorded to that applicant showing proof of the longest residency in the

state. An applicant shall present his proof of residency to the department in person at the time and place designated by the director.

AS 40.15.190(2) is amended to read:

(2) "subdivision" means the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or areas subdivided; however, it may not include cadastral plats, cadastral control plats, open-to-entry plats, or remote parcel plats created by or on behalf of the state regardless of whether such plats include easements or other public dedications.

20

Section ~~19~~. A person who selected a remote parcel or acquired a right to select a remote parcel before July 1, 1981, is entitled to convert his remote parcel lease agreement to a new lease agreement which contains terms and conditions consistent with AS 38.05.077(d) and 38.05.078(a) and (c) enacted in secs 13, 15 and 16 of this Act. The commissioner shall prepare and distribute new lease forms to persons described in this section.

Section 21. Land disposals conducted by the commissioner

for fiscal year 1982 shall be in accordance with appropriations to the department for that purpose together with any instructions attached to said appropriations.

Section 22. AS 38.05.047, 38.05.065(a), 38.05.077(b)(2), and AS 38.05.078(b) are repealed.

Section 23. This Act takes effect July 1, 1981.

Kristine

MSG 81-00007781 PRTY 1 03/11/84 13:42:05 ORIG: LM00 IN= 0003 OUT= 0073 13
FROM: MARY/MATSU TO: JUNEAU INFORMATION
TARGET: LJH2 SUBJ: P.O.M. PAGE 0001

TO: SENATOR KERTTULA
REP. CARNEY
HOUSE RESOURCES COMMITTEE:
REP. ZHAROFF, REP. GARDINER, REP. CHUCKWUK, REP. GRUSSENDORF,
REP. HURLBERT, REP. SMITH, REP. VASKA, REP. BARNES, REP. BETTISWORTH,
REP. HALFORD, REP. SUTCLIFFE
FR: ELSIE O'BRYAN, PRECINCT CHAIRMAN, PREC. 3 & 8, DIST. 6, SR BOX 2727
WASILLA 99687

RE: 100,000 ACRE MANDATORY DISPOSAL OF LAND
DIVISION OF LANDS SEEMS TO BE PUT IN THE POSITION OF BEING PRESSURED TO
DISPOSE OF UNSUITABLE LAND. ANY LEGISLATION TO BE ENACTED THIS YEAR SHOULD
HAVE IMMEDIATE EFFECTIVE DATE OR BE MADE RETROACTIVE TO STOP UNSUITABLE LAND
DISPOSAL IN THE MAT-SU BOROUGH. IT IS AMAZING TO ME THE SAME PEOPLE THAT
WENT TO WASHINGTON, D.C. TO OBJECT TO FEDERAL INTERVENTION IN THE USE OF
STATE LAND ARE NOW INVOLVED IN TELLING THE BOROUGHES THAT THEIR CODES ARE
NOT VALID BY DISPOSING OF LAND AS THEY ARE PRESENTLY. IN THE FUTURE, THE
DIVISION OF LANDS SHOULD BE INSTRUCTED TO TAKE BOTH SOCIAL AND ECONOMIC

3

MSG 81-00014804 PRY 1 04/30/81 10:54:12 ORIG: LM00 IN= 0004 OUT= 0023
FROM: MARY/MATSU TO: JUNEAU INFORMATION
TARGET: LJH2 SUBJ: P.O.M. PAGE 0001

TO: REP. CARNEY
REP. ZHAROFF, REP. GARDINER, REP. CHUCKWUK, REP. GRUSSENDOR, REP. HURLBERT
REP. SMITH, REP. VASKA, REP. BARNES, REP. BETTISWORTH, REP. HALFORD,
REP. SUTCLIFFE

FR: ENID VENTGEN, SR BOX 2673, WASILLA 99607

STRONGLY URGE YOU TO OPPOSE SEC. 3, PB 31, WHICH WITHHOLDS PATENT ON
MUNICIPAL LANDS UNTIL TWENTY PERCENT (20%) IS IDENTIFIED FOR DISPOSAL,
AND ALSO GIVES THE COMMISSIONER POWER FOR FINAL DECISION ABOUT WHICH
TWENTY PERCENT (20%) WILL BE DISPOSED. ENCOURAGE YOU TO WORK TO
DELETE THIS DICTATORIAL SECTION.

Handwritten initials/signature

MSG 81-00008108 PRTY 1 03/12/81 18:58:21 ORIG: LA00 IN= 0029 OUT= 0093
FROM: ROBERTA TO: JUNO INFO
TARGET: LJH2 SUBJ: POM

Handwritten number 2

PAGE 0001

TO: REPRESENTATIVES TERRY GARDINER AND FRED ZHAROFF
RE: REMOTE AREA D IN HOMER.
FROM: MRS. THOMAS, 4954 KNIGHT WAY 99504; 333-674L

IF I CAN AFFORD IT I'D LIKE TO PAY FOR MY 5 ACRE TRACT NOW. IT'S
GOOD BUSINESS TO KNOW THE STATE APPRAISAL OF THIS TRACT BEFORE I PAY \$2000
TO A SURVEYOR TO SURVEY IT. I'VE ALREADY SPENT \$1600 INCLUDING \$150 ANNUAL
LEASE FEE TO MAKE TWO ROUND TRIPS IN TO STAKE IT OUT. IT'S POSSIBLE THAT
THIS LAND COULD BE APPRAISED SO HIGH THAT I COULDN'T AFFORD IT.

Handwritten checkmark

(c) After July 1, the commissioner shall direct the expenditure of such funds as are appropriated for the disposal of lands in accordance with ~~any~~ ^{the} instructions ~~attached~~ attached to the budget, including those relating to scheduling of disposals.

(1) Lands designated remote parcel shall be surveyed and classified and, after procedures required by law, disposed of as follows:

(A) 80 per cent of the parcels shall be sold under the procedures for lottery sale specified in AS 38.05.057 and 38.05.065;

(B) 10 per cent of the parcels shall be disposed of as homesites under AS 38.08; and

(C) an additional 10 per cent of the parcels shall be disposed of as homesites under AS 38.08, except that notwithstanding AS 38.08.040(b), parcels offered under this paragraph shall be offered by lottery under AS 38.05.057.

(3) Lands designated agricultural, commercial or industrial shall, after procedures required by law, be sold under AS 38.05.055 or 38.05.057.

(5)

MSG 81-00005396 PRTY 1 02/20/81 10:07:46 ORIG: LM00 IN= 0002 OUT= 0008
FROM: MARY/MATSU TO: JUNEAU INFORMATION
TARGET: LJH2 SUBJ: P.O.M. PAGE 0001

TO: SENATOR KERTTULA, SENATOR PARR, SENATOR FAHRENKAMP
REF. GARDINER, REP. ZHAROFF
FR: NOREEN MERCER, BOX 92, TALKEETNA, 99676

WE ARE OPPOSED TO THE 100,000 ACRE LAND DISPOSAL MANDATE BECAUSE RURAL
AREAS, CHASE FOR EXAMPLE, CANNOT PROVIDE RESOURCES FOR ANY GROWTH
IN POPULATION, ESPECIALLY SUBDIVISIONS. IF IT DOES, THE LIFESTYLE
WILL BE OVER FOR ALL.

TO: SENATOR KERTTULA, SENATOR PARR, SENATOR FAHRENKAMP
REP. ZHAROFF, REP. GARDINER
FR: DAN MAWHINNEY, BOX 22, TALKEETNA 99676

I AM OPPOSED TO THE 100,000 ACRE LAND MANDATE AND SUBDIVISION DISPOSAL
PROGRAM BECAUSE IN MY CHASE ARE THE ENVIRONMENT IS TAXED TO THE LIMIT AND
ANY ADDITIONAL DRAIN WOULD DESTROY THE LIFE STYLE. IN EFFECT, IT WOULD
CREATE A "WOODS GHETTO".

Kris

ican Institute of Real Estate Appraisers, the Society of Real Estate Appraisers, a person meeting the requirements for certification as an Appraiser II by the division of personnel, Department of Administration, or a person qualified according to regulations adopted by the commissioner under the Administrative Procedure Act.

DRAFT
Law

*Helford
Amendment
#1*

~~*[Handwritten signature]*~~
[Handwritten signature]

* Sec. 32. AS 40.15.010 is amended by adding a new subsection to read:

(b) Notwithstanding (a) of this section, AS 29.33.190, 38.04.-045(b), 40.15.070, and 40.15.200, subdivisions of state land classified for disposal under AS 38.05 and AS 38.08 need not show the approval of the platting board or other subdivision authority having jurisdiction in order to file the plat for record in the office of the recorder. However, state subdivision plats must be submitted to the platting authority for review in compliance with this subsection and AS 29.33.-160(c) and recorded before the sale of any lots or tracts in the subdivision.

* ~~Sec. 37~~. AS 40.15.190(2) is amended to read:

#2

(2) "subdivision" means the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or areas subdivided; however, it may not include cadastral plats, control plats, open-to-entry plats, or remote parcel plats created by or on behalf of the state regardless of whether such plats include easements or other public dedications.

* Sec. 28. AS 14.40.350, 14.40.360; AS 19.05.110, 19.05.120; AS 19.30.-

Remote Parcel Survey ↑

12 (e) Disposal of land in the land disposal bank during each fiscal
13 year must be based upon an assessment by the commissioner of the cur-
14 rent needs and anticipated uses of state land in the different regions
15 of the state. The assessment must be completed each year, in writing,
16 and must include a survey of the supply of land in private ownership
17 currently on the market, plans for the disposal of municipal land which
18 have been submitted under AS 38.05.048, and the amount of federal land
19 available for disposal through sales, leases, or permits for specific
20 activities. The demand for state land must be evaluated in the assess-
21 ment on the basis of a purchase price equivalent to that of comparable
22 lands in private ownership. The assessment must include findings
23 regarding the amount of state land which is necessary to meet the
24 statewide demand for three fiscal years immediately after the year in
25 which the assessment is made. The assessment must also include the
26 location of land to be disposed of and recommendations for the methods
27 of disposal and terms under which the land will be offered to the
28 public.

~~The assessment must also include a survey of the supply of land in private ownership currently on the market, plans for the disposal of municipal land which have been submitted under AS 38.05.048, and the amount of federal land available for disposal through sales, leases, or permits for specific activities.~~
~~The demand for state land must be evaluated in the assessment on the basis of a purchase price equivalent to that of comparable lands in private ownership.~~
~~The assessment must include findings regarding the amount of state land which is necessary to meet the statewide demand for three fiscal years immediately after the year in which the assessment is made.~~
~~The assessment must also include the location of land to be disposed of and recommendations for the methods of disposal and terms under which the land will be offered to the public.~~

3 (f) The commissioner shall annually submit to the governor ~~three~~
4 ~~alternatives~~ ^{alternatives} financing requests for the disposal of state land in the
5 land disposal bank. The ~~alternate~~ requests for ~~each~~ ^{that} fiscal year shall
6 be submitted with the budget submitted to the legislature by the gover-
7 nor. The ~~alternate~~ requests must specify the amount of land to be
8 offered for private ownership ~~with each alternative~~, the location of
9 the land, and the disposal program under which the land will be offered
10 The alternatives submitted shall include

11 (e) an estimate of the appropriation required to finance
12 the disposal of the land identified for disposal during the fiscal
13 year.

April 29, 1981

Citizens Committee for
Land Disposal Reform
835 D St. Suite 204
Anchorage, Alaska 99501

Pouch V
State Capital
Juneau, Alaska 99811

Dear Representative:

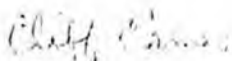
We wrote you earlier to urge you to pass legislation this year reforming the state land disposal program, and we enclosed a fact sheet which summarized our most serious concerns. We were pleased to see the Resources Committee report legislation which would have repealed the 100,000 acre quota and replaced it with a flexible quota based on an annual assessment of supply and demand. We are afraid now, however, that land disposal reform is not receiving the attention it deserves and that once again the session might end before a bill can be passed.

We understand that one potential stumbling block is the provision in H.B. 31 that 20% of unpatented municipal selections be designated for disposal. Although we questioned the wisdom of adding another fixed quota to the program, we generally supported H.B. 31 since our primary concern was the repeal of the 100,000 acre figure, which we saw as the cause of a host of problems.

We believe, however, that the passage of reform legislation is critical, and that the 20% provision should be deleted if doing so is necessary to obtain passage of a bill. We suggest substituting for that provision the Enterprise Fund proposed by the administration in its bill, H.B. 193. The availability of a revolving loan fund to finance the construction of roads and other capital improvements would serve as an incentive to municipalities to dispose of their land. In any case, if the figures in the April 16 Anchorage Daily News are accurate, the boroughs primarily affected, such as the Matanuska-Susitna Borough, are not in fact resisting the disposal of reasonable quantities of borough land.

Once again, we urge you to give state land disposal reform the highest priority and to pass and send to the Senate as soon as possible a bill which repeals the quota, substitutes a flexible quota based on an annual assessment of supply and demand, and reasonably addresses the concerns of local governments.

Sincerely,



Cliff Eames
Chairman
Citizens Committee for Land Disposal Reform

CE/rhm

Alaska State Legislature



POUCH V
JUNEAU, ALASKA 99811

Kristina
Lind

March 12, 1981

Mr. Cliff Eames, Chairman
Citizen's Committee for Land Disposal Reform
835 D Street, Suite 204
Anchorage, Alaska 99501

Dear Mr. Eames:

Thank you very much for your letter of March 4.

As you may have noted from my voting record this past year, I am in favor of revising substantially the land disposal program of the State of Alaska.

As you may recall, a substantial revision of that program passed the House of Representatives in the last session of the 11th Legislature, but failed to pass the Senate.

This year, many of us in the House majority and in the House leadership are making it a priority to pass comprehensive legislation addressing this issue. We have some reason to believe that we may be more successful in the current Senate than we were in the last.

I am sure you are quite familiar with the recent hearings held on the subject by the House Resources Committee, and I intend to follow the lead of the co-chairman of that committee, Representatives Gardiner and Zharoff on this subject. I am not giving them an irrevocable proxy or anything, but I suspect that I will be able to support the legislation that their committee will produce.

Thanks again for your letter.

Very truly yours,


Rep. Fred Brown

cc: Rep. Gardiner
Rep. Zharoff

March 2, 1981

Dear Legislator,

I would like to voice my objections to the 100,000 acre annual quota of land disposal mandated by the Legislature in the Burn's Initiative, HB66. This generous distribution of State lands into the hands of the voters sounds good superficially but, in reality, has serious drawbacks. It has generated an enormous dilemma for the Department of Natural Resources and the General Public!

With the present manning, budget and workload within the DNR, they have not been able to focus sufficient time, effort and money to select enough land that is compatible with natural terrain, soil features, ecosystems, local residents' desires, and the needs of potential buyers.

My specific complaint is that the DNR, in trying to meet this quota, has resorted to creating subdivisions in attempts to dispose of large blocks of land, divided into small five acre parcels. These subdivisions, when located in remote areas not readily accessible by existing roads, create an incongruous contamination of the land. Surveyors, working for the Department, have used all-terrain vehicles in the Spring and Summer months over the fragile tundra, swamps and fields and, by their incessant roaming, have left a permanent ugly web of destruction that scars the land. Potential buyers of these small parcels generally are seeking for a resemblance of a wilderness experience and not a devil club, mosquito swarming version of the subdivision they already live in. It is certainly not fair and equitable to existing property owners and residents, to artificially create a congestion of development on a remote area with its attendant disruption of the surrounding area. Land development is inevitable, but it should follow a natural, orderly and intelligent progression and not resemble a cancerous blight like a subdivision.

The needs of the people, you are pledged to serve, could be much better fulfilled, if distribution of lands were spread out more, allowing it to fit into natural land features. This would minimize the environmental impact on an area, and if coordinated with local interest groups would assure a homogenous blending of the new with the old. Lower densities of people provides each one with privacy, elbow room, firewood, natural building supplies, and desirable land features. Subdivisions artificially create crowding, shortage of natural supplies of water and wood, drainage and sewage problems. These conditions will prematurely call for demands for public services such as roads and maintenance, police and fire protection, power, water and sewage services with the resulting tax burdens.

Public hearings in the Susitna Valley have overwhelmingly produced vehement objections to the subdivision concept, especially in remote areas. Sales of these parcels offered in South Central Alaska have been little more than 50% on first offering which indicates a lack of buyer interest.

My argument is not with the Department of Natural Resources. They are faced with a nearly impossible task of selecting quality, useable land that is not subject to other claims and interests such as Native groups, Local Governments, private ownerships, leases, Fish and Wildlife, mining, timber, public use areas, etc. 100,000 acres represents 156% of the Anchorage Bowl which is 64,000 acres!! This area supports over 400,000 people now. Disposal of 100,000 acres of State land on an annual basis would have a disastrous effect on the land market both private and local governments. Because the State actually owns very little of the developable and available land that is desirable because of its accessibility, the thrust of this quota is an extreme drain on land in the Susitna valley with little or no regard for the wishes of local government or residents.

In conclusion, I urgently implore you to do everything in your power to repeal the 100,000 acre quota this session!! An alternative plan would

(2)

would be a flexible figure to be set each year, based upon an analysis of all the economic and environmental facts. This action must be completed NOW to avoid irreversable damage. I urge you to place this high on your priority list and ask your contemporaries to do the same.

Sincerely

Stuart and Virginia Silver
3152 Donnington Dr.
Anchorage, Ak. 99504

H B

3 8

COMMITTEE REPORT

HOUSE

⁴
2/2/81

FURTHER: FINANCE

(11)

Date: APRIL 7, 1981

Mr. Speaker:

The Committee on RESOURCES has had HB 38

"An Act relating to the development of small farms; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING

DO PASS

T. J. Gardner

[Signature]

[Signature]

Eric C. Sutcliffe

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING

OTHER RECOMMENDATIONS:

J. Smith - No Rec

J. Kohn - No Rec

Rich Howard - No Rec

[Signature]

[Signature]

[Signature]

T. J. Gardner
Co-CHAIRMAN

[Signature]

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

CRT MESSAGES ARE LIMITED TO 50 WORDS. THESE MESSAGES ARE TRANSMITTED TO JUNEAU BY OUR STAFF ON A TIME-AVAILABLE BASIS.

Date 3/10/81

Name (print) Gene Carlson

Representing _____

Address Mile 1413 1/2 Ak. Hwy

Delta Junction, Alaska 99737

Phone Number 895-4216

To Rep. Moss; House & Sen. Res Com.; Interior Delegation Members

Re HB 38- An Act Relating to the Development of Small Farms

Message A clearing loan fund should immediately be available to those of us who want to put our land into production, and make our contribution to the development of Agriculture in Alaska.

Signature Gene Carlson

Can be contacted at following times 8:00 am - 5:00 pm

Address and phone number if different from above after hours 0 895-4956

THE PRECEDING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

George Binley
Greenleaf Farms
S.R.A. #31
Homer, Ak. 99603

March 18, 1981

Mr. Terry Gardiner
House Resources Committee
Bouch. V
Juneau, Ak, 99811

Dear Mr. Gardiner and members of the House Resources Committee,

I would like to express my desire for legislative support of small scale agriculture.

We are most of us aware that the development of successful agriculture must be a multifaceted program including the development of land resources, the market, and transportation networks. It is a well understood fact that agricultural efforts without the simultaneous development of these three factors leads to only marginal productivity.

Today in Alaska we are surrounded by a growing population, an abundance of undeveloped, potentially rich agricultural land, and a nearly total reliance on a potentially tenuous transportation ~~spoke~~ corridor and system which is supplying nearly all of our foodstuffs. This reliance is not only a potential danger to Alaskans, it is also getting more expensive, and is an insult and potential disgrace to Alaska's proverbial independence.

The three factors favoring Alaska agricultural productivity are out of balance; we need increased development of every aspect in order to achieve a reasonable level of self-sufficiency; this is a patriotic duty.

In Homer there are many small farmers and ranchers such as myself who need help in getting a full time profitable operation going. Several of us are instigating the formation of the Kachemak Farmers Exchange, a farmer cooperative organized for marketing and purchasing. One of our foremost goals is the establishment of a grain silo in Homer to hold Delta barley as a feed for our expanding red meat industry. We are also working for an over the counter marketing area and a local slaughter-house facility.

Many of us are sitting on the verge of major development of grazing areas, hay fields, and/or truck farms but we lack the capital necessary for initial ground breaking. One of the drawbacks is the requirement of the Agricultural revolving loan fund that repayments to this fund come out of agricultural profits. What of the developing farmer who has little or no production at this time? If some other means could be found for establishing the "good faith" of the loan recipient, and /or if reasonable deferred payment schedules could be established giving the farmer time to get his fields into production, then I'm sure you would find considerable agricultural efforts being made.

I am in support of House Bill #38

Respectfully yours,

George Ripley
George Ripley

c.c. Senator Don Gilman
Senator Jalmar Kerttula
Rep. Hugh Malone
Rep. H. Moss
Rep. Pat O'Connell



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Alaska State ASCS Office
2221 E. Northern Lights Blvd. Suite 201
Anchorage, Alaska 99504

March 10, 1981

Resource Committee
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Mr. Gardiner, Mr. Zharoff, and Members of the Committee, I wish to offer the following testimony in support of House Bill 38. I wanted to offer testimony during the teleconference hearing on Friday, March 6, but time and the number of participants prevented my doing so.

First of all, I am strongly in favor of support being given to the small farmers of Alaska. The State is now in the process of spending a great deal of money assisting the development of large scale farming ventures such as the Delta Barley Project, the Point McKenzie Project, and the other development projects planned such as Delta II and Nenana. These projects are important and necessary if the total infrastructure for the agricultural industry, especially marketing, is to be established. But we must not, in doing this, neglect another very important segment of the industry--the small farmers. In many ways these small farmers, if assisted, will provide the necessary nucleus and stability that is so necessary to the success of an industry of this kind.

House Bill 38 will provide the kind of assistance needed and is important for the following reasons: (1) To make possible the development of Alaska's small farms into more viable economic units; (2) To provide for the exercise of influence over the kind of land cleared and technical guidance on the method of clearing; and (3) To encourage, preserve and strengthen the small farms of Alaska as a continuing viable component of Alaska agriculture and the economy of the state.

I do not view assistance with land clearing as a direct subsidy. The State will be cost-sharing with farmers as an incentive to carry out necessary soil preserving measures in the development of the land. The Federal Government has been doing this for many years under the USDA Agricultural Conservation Program. Cost-sharing by the State of this nature must be looked upon as an investment in the development of an important renewable resource which will pay back dividends many fold as the agricultural industry prospers and thus adds to the overall economy and growth of the state.

Assistance in conserving and developing the prime agricultural soils is coming more and more to be considered the responsibility of the state rather than the Federal Government. Many states are already funding cost-sharing programs and more are in the making. Our new Secretary of Agriculture, Mr. John Block, has been emphasizing that the Federal Government will offer only technical assistance to protect prime agricultural land from soil erosion and loss to other uses. Mr. Block

stresses that though the continued loss of agricultural land is a "crisis in the making," state and local governments will have to take the lead in halting it. I think this is the trend and it will continue.

Past history has proven that farmers without incentives, in most instances, will not take the necessary costly measures themselves to properly conserve and protect the prime agricultural soils. We cannot expect them to do this. Land preservation and enhancement measures have long lasting effects reaching far beyond the life span of individuals. It is therefore difficult for an individual farmer to see how he will recover the costs during his lifetime.

It is the public that benefits in the long run and this is, of course, the justification for cost-sharing in the first place. We cannot expect farmers to borrow the money, even at low interest rates, to carry out long lasting conservation measures. Experience has shown that they will not. The money must be paid back with interest and most small farmers, while in the development phase of their business, can ill afford to be saddled with additional indebtedness.

For the reasons I have given, I urge passage of House Bill 38. It would undoubtedly do more for the small farmers of our state than anything else we can do now. For some 15 years, the Federal Government cost-shared for land clearing in Alaska. This has perhaps been the single most important aid over the years to the development of the agricultural base which we now have, but budget constraints will no longer allow the Federal Government to do this. It is time the State assumed this responsibility.

Thank you for the opportunity to testify.



CHARLES F. MARSH
State Executive Director
Agricultural Stabilization & Conservation Service
U.S. Department of Agriculture

cc:

The Honorable H. "Pappy" Moss
The Honorable Jalmer Kerttula

Funding Information
General Fund \$4,000,000
Other Funds -0-
\$4,000,000

Introduced: 2/4/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY MOSS

CS
HOUSE BILL NO. 75

2
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Natural Resources; and providing for an effec-
8 tive date."

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

10 * Section 1. The sum of \$^{500,000}4,000,000 is appropriated from the general fund
11 to the Department of Natural Resources for cost-sharing for the clearing and
12 breaking of land on small farms.

13 * Sec. 2. The unexpended and unobligated portion of the appropriation
14 made by this Act lapses into the general fund June 30, 1986.

15 * Sec. 3. This Act takes effect on the effective date of an Act entitled
16 "An Act relating to the development of small farms; and providing for an
17 effective date."

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29

Introduced: 2/4/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY MOSS AND BEIRNE

2 HOUSE BILL NO. 38

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 a soil capability classification of ^{AS} II or III ^{12/4} is
23 eligible for the cost-sharing program under this chapter.

24 (b) Land which contains ^{marketable timber} timber with commercial value 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

*See App/Cont during of the
2/4/81 - paying 20%*

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

24 (1) 75 percent of the cost of clearing land up to a maximum
25 of \$200 per acre or 75 percent of the cost of breaking up land to a
26 maximum of \$100 per acre;

27 (2) \$7,500 per farm in one calendar year; and

28 (3) \$30,000 per farm.

29 Sec. 03.12.050. REPAYMENT OF COST-SHARING MONEY. (a) If eligible

1 land is not put into production as crop or pasture land within three
2 years after cost-sharing money is paid to the owner of the land or to
3 the holder of the agricultural rights to the land, the cost-sharing
4 money shall be repaid to the department by the recipient of the money.

5 (b) If eligible land does not remain in production as crop or
6 pasture land for at least seven consecutive years after the owner of
7 the land or the holder of the agricultural rights to the land receives
8 cost-sharing money from the department, the cost-sharing money shall be
9 repaid to the department by the recipient of the money.

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

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

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

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16 as det. by 1 Dept (Reg.)
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DRAFT

A PROPOSED STATE-FEDERAL SMALL FARM PROJECT

STATE: State of Alaska

SCOPE: Statewide

PROJECT TITLE: Improvement of Alaska's Small Farms

1. Project Description and Objectives:

This project is proposed as a joint State-Federal assistance project with the State of Alaska providing the cost-share money and the Agricultural Stabilization and Conservation Service (ASCS-USDA) administering the project through its county offices and county committee system.

Objectives of the project are: (1) To make possible the development of Alaska's small farms into more viable economic size units through a cost-share program enabling farmers to clear and develop more cropland thereby increasing individual farm income; (2) To exercise influence over the kind of land that is cleared and to provide guidance and technical assistance on the method of removing the existing vegetation; (3) To encourage, preserve and strengthen the small farms of Alaska as a continuing viable component of Alaska agriculture and the economy of the State.

Through an already existing cooperative agreement, technical services will be provided by the Soil Conservation Service (SCS) through ASCS. Cost-share limitation will be \$7,500 per farm per year with a maximum total assistance limitation of \$30,000 per farm under the project. The \$7,500 limitation will allow more acres to be developed at one time and thus lower the cost per acre. Other necessary conservation practices will be funded through ASCS under the regular Agricultural Conservation Program (ACP).

A goal of the project is to assist 100 small farmers per year. Initially the project is proposed to run five (5) years. An annual allocation of \$800,000 for cost-sharing is requested from the State, of which 5 percent will be transferred by ASCS to SCS for technical services performed. Maximum cost-share rate under the project will be 75 percent of the actual cost of clearing not to exceed \$200 per acre and 75 percent of the actual cost of breaking not to exceed \$100 per acre.

2. Number of Farmers, Economic Situation, Etc.:

It is estimated there are now 300-400 small farms in Alaska which are economically underdeveloped and unprofitable largely because farmers have lacked the necessary capital required to clear and develop sufficient acres to allow the application of best management practices and realize economies of scale in the production of crops and livestock. Because of this situation, most small farmers in Alaska are forced into a subsistence type of operation with little prospect of organizing and developing their farms into profitable economic units.

The State of Alaska has transferred and will continue to transfer more agricultural land into private ownership. The boroughs also are disposing of agricultural land. Purchasers of this land receive only the agricultural interest rights to the land and must, in some instances, submit and follow specific approved development plans.

Without assistance in clearing and developing this agricultural land, a critical situation develops wherein the small farm landowners find themselves unable to meet development schedules. The seller is then faced with the alternatives of either taking back the land or excusing or ignoring the development plans which were required as a part of the purchase contract. Even where development plans are not required, without assistance development will likely be sporadic and insignificant.

This much needed land use adjustment will be accomplished under this project in the interest of soil and water conservation and in keeping with the capabilities of the land. Only those lands with soil capability classification II and III will be eligible for cost-sharing under this project. This is in harmony with the current State land classification policy wherein only land with capability class II and III soils are classified as agricultural land.

Through the exercise of control over the kind of land that is developed and the clearing method used, it will be possible to minimize the erosion hazards which could cost millions of dollars to correct in the future.

3. USDA Involvement:

ASCS through its county committee system will administer the project and will provide the cost-share money for the correction and control of other conservation problems. SCS will provide technical assistance in carrying out the clearing and breaking practice.

4. State Involvement:

The State of Alaska will provide \$800,000 per year cost-share money for the clearing and breaking practice under the project.

5. Completion Date: 1986

ENHANCEMENT OF SMALL FAMILY FARM LAND RESOURCES

- A Purpose. To achieve needed land use adjustments and improvements in the interest of soil and water conservation and in keeping with the capabilities of the land and thus to encourage, preserve and strengthen the small farm as a continuing component of Alaska agriculture.
- B Applicability. To lands with soil capability classification II and III.
- C Policies.
- 1 Cost-sharing may be authorized for removal of existing vegetation by mechanical means.
 - 2 Land under this practice must be devoted to crop or pasture within three (3) years following the program year in which the practice is started.
 - 3 Burning will be permitted only in the areas where allowed by applicable State and/or borough regulations.
 - 4 Necessary conservation measures must have been applied to all other land under the applicant's control in order for him/her to qualify for this practice.
 - 5 Under this practice, this acreage must remain in agricultural production for a minimum of seven years following completion of the practice or cost-shares must be repaid.
 - 6 Land having timber with commercial value is not applicable to this practice until such timber is utilized.
 - 7 This practice is not applicable on land using State homestead credits for clearing or State agricultural projects with long term land clearing loans.
- D Specifications. This practice shall be performed in accordance with SCS standards and specifications.
- E Technical Responsibility. Assigned to CS.
- F Maximum Cost-Share Rates. 75 percent of actual cost not to exceed \$200 per acre for clearing and \$100 per acre for breaking.



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Alaska State ASCS Office
2221 E. Northern Lights Blvd. Suite 201
Anchorage, Alaska 99504

October 9, 1980

Honorable H. "Pappy" Moss
Alaska House of Representatives
P.O. Box 182
Delta Junction, Alaska 99737

Dear Pappy:

You will recall that ASCS Administrator Ray Fitzgerald and I visited with you over lunch at the Delta Field Day in August regarding a possible proposal to initiate a land clearing practice similar to the one we had for a number of years prior to 1980. Existing legislation for ACP does not permit the inclusion of production oriented practices. They say we are bringing new land into production and therefore, will not allow ACP funds to be used in cost-sharing on the practice. ACP funds can only be used for conservation practices.

Ray Fitzgerald had just come from our State ASCS Conference which we held in Fairbanks prior to the field day. At the conference, I suggested asking the State of Alaska to provide the cost-share money for the land clearing practice and ASCS would administer the practice, as we did in the past, through our existing county offices and county committee system. This would give assistance to Alaska's small farmers and the State would save money by not having to set up a duplicate administrative system. Besides, it would hold down the expansion and cost of State government.

Mr. Fitzgerald thought this was a good idea and at Delta, you will recall, asked us to pull together a joint State-Federal proposal and indicated it would probably receive favorable approval on the national level. I am enclosing a copy of this proposal for your perusal. Please look it over and give us your comments and suggestions. Any help you can give will be appreciated. While it is tentatively written with the State providing the cost-share money, this arrangement could be changed if ASCS would see fit to share the funding, however this does not appear very likely.

I feel it would be a waste of time and effort to try to get the practice reinstated under the regular ACP as it was before being disallowed. I have enclosed some background material which will give you an idea of some of the dialogue we have had on the practice. We battled national for three years but to no avail. They finally said "no more" and disallowed the clearing practice for 1980. Even if they were somehow persuaded to again allow the practice under ACP, our State allocation is pitifully small and must be used for existing high priority conservation and pollution abatement problems.

Most Federal and State agencies heartily endorse the concept of this proposal; i.e., need for it, etc., and I am enclosing a few letters that have come in on it so far. Of course, our county ASC committees and State ASC Committee and all farmers are strongly for it. This project, if funded, would probably do more to assist the small farmers in Alaska than anything else we could do for them. }

Again, we appreciate your interest in and strong support for agriculture. Do not hesitate to call me on this or anything else at any time. Good luck on election day.

Sincerely yours,



CHARLES F. MARSH
State Executive Director

Enclosures

UNITED STATES GOVERNMENT

Memorandum

U. S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service

TO : Chairperson, Alaska State ASC Committee

Date: APR 11 1980

In Reply Refer to:

FROM : Director, Conservation and Environmental Protection Division

SUBJECT: Request for Proposed Special Practice for Fiscal Year 1980 -
Conserving and Protecting Rural Land Resources - Your Memorandum
of January 17

We have carefully reviewed the provisions of the above proposed special practice. You indicate in the documentation submitted with the request that new lands would be brought into production and at present, no conservation problem exists, only a potential one. There are no provisions under the ACP which would allow cost-sharing for such items. It is for these reasons that the proposed special practice of conserving and protecting rural land resources is not approved for cost-sharing under the ACP.

Alan Durick

RECEIVED

APR 14 1980

ALASKA STATE
ASCS OFFICE

UNITED STATES GOVERNMENT

Memorandum

U. S. DEPARTMENT OF AGRICULTURE
 Agricultural Stabilization and Conservation Service
 Alaska State ASCS Office

TO : CEPD thru Northwest Area

Date: June 20, 1980

FROM : *Charles F. Marsh*
 State Executive Director

In Reply Refer to:

SUBJECT : Disapproval of Special ACP Practices

The Alaska State ASC Committee appeals the decision of CEPD to disapprove Alaska's Special ACP Practices, SP14 - Conserving and Protecting Rural Land Resources (for 1980) and SP15 - Removal of Berm Rows and Berm Piles (for 1979 and 1980).

Alaska's farmer elected county committeemen in all counties of Alaska, without exception, are unanimous in their request for these special practices and emphasize the statewide need for them. The STC recognizes the fact that these committeemen know their respective counties best - with their particular micro climate, soils, etc.

The STC feels quite strongly that Alaska is indeed unique and has special problems; unlike those encountered elsewhere in the United States. Unless these special problems are understood, and dealt with, an injustice may be done to Alaska's farmers and soil erosion problems may be allowed to develop which could cost millions of dollars in remedial measures to correct in the future. We would appear very shortsighted not to take these factors into consideration.

The STC acknowledges the fact that new land is coming into production. But rather than contributing to it, these practices assist in screening out land unsuitable for development and provide participating farmers with the necessary technical knowledge for developing the best soils so that erosion does not occur now or in the future. The STC feels that USDA has a responsibility through ASCS and SCS to give technical information and assistance to Alaska's landowners which will provide them with alternatives for developing the agricultural land. Unless some control is exercised over the kind of land in Alaska that is developed and the way it is brought into agricultural production, serious erosion hazards may be created. This should be avoided if possible.

The State Committee also wishes to call attention to Special Practice SP16a - Conserving and Improving Native Grass Land, which was disapproved for Homer County for 1980. Again the STC feels that a closer look should be taken in an effort to understand the conservation problem involved. While it can be argued that it is production oriented, the Committee points out that the purpose for carrying out soil conservation measures is to maintain the productive capacity of our soils. Every conservation practice affects production directly or indirectly. Exactly where do we draw the line?

The STC requests more dialogue with Area and CEPD officials regarding these special practices hoping that a better understanding of Alaska's conservation needs may result and that our farmers may reap the greatest benefits in the long run. We are again enclosing a copy of a letter received in January, 1979 from W. E. Long, State Conservationist in Alaska, giving SCS's justification and support of two of these special practices. The STC hereby urges reconsideration and reinstatement of these special practices.

UNITED STATES DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

2221 East Northern Lights Blvd., Suite 129, Anchorage, Alaska 99504

January 31, 1979

Charles Marsh
State Executive Director
Agricultural Stabilization and Conservation Service
Anchorage, Alaska

Dear Mr. Marsh:

Re: ACP Special Practices in Alaska

The ACP practices, Conserving and Protecting Rural Land Resources, and Removal of Berm Rows and Berm piles, are two practices that are designed to specifically meet the conservation needs of Alaskan farms. Through the use of these practices, the best agricultural soils are developed and permit land management that will avoid the erosion problems that are so prevalent in other areas of the United States.

In the early years of farmland development in Alaska, many acres were cleared and partially developed only to find that the soil was not suitable for agricultural use. This created an economic burden on the landowners and also unnecessarily disturbed the environment.

Unplanned land clearing can create erosion hazards. These include wind erosion, water erosion, and hazards due to thawing of permafrost soils with high ice content. Although there is no absolute way of fully predicting the permafrost hazards, soil surveys and SCS staff experience under previous ACP work has generally provided guidelines that minimize the hazard.

The permafrost problem is exemplified by one field cleared by a homesteader near Fairbanks without technical assistance. He produced three annual crops of barley before the field became too rough to farm. The roughness was from thawing ice lenses which resulted in severe soil subsidence. Today, there are several small lakes in that abandoned field.

On sloping land the method of clearing and stacking the clearing residues is important to minimizing erosion hazards. It is often necessary to use the clearing residues as temporary conservation diversions, dams, etc. These are used until a field is developed to the extent that adequate agronomic or other conservation practices can be installed to stabilize the field. In other areas care must be taken to prevent the interception of water by berm pile causing the concentration of flow, resulting in gully erosion.



Mr. Charles Marsh
January 31, 1979

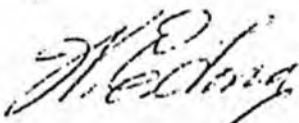
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ACP land development procedures (Conserving and Protecting Rural Land Resources) have been important to assure sound development of Alaska agricultural soils. The effects of the two practices can be summarized as providing for:

1. The development of only soils that have adequate agricultural potentials.
2. The development of soil resources in an environmentally sound manner that minimizes erosion hazards, arctic and subarctic development hazards, and undue overall environmental hazards. In most of Alaska, land clearing must be accomplished in the winter months or when the ground is frozen, to prevent the loss of topsoil during the process. It is very important that proper methods be used, and, inspection provided for through ACP assures development with minimum environmental degradation.
3. These ACP practices have had an important effect of getting technical assistance to a land owner before any development occurs, and in effect, providing the opportunity to "do it right" as the farms are developed.
4. In Alaska it has been graphically demonstrated that agricultural soils, properly developed, have greatly enhanced wildlife values for both moose and migrating waterfowl.

It should be noted that the 1978 Soil and Water Resources Conservation Act (RCA) public hearings listed soil erosion as a low concern in Alaska. It is suggested the reason for this is that conservation agencies have been very instrumental in providing guidance to farm development before the actual development starts. As the ACP practice, Developing Rural Land Resources, has been Alaska's number one cost share practice, we suggest that this has been the major factor for sound overall development of farmland in Alaska.

All county committees in the state require that a complete conservation plan be developed with the local soil conservation subdistrict before any cost share can be given. As a result, virtually all cooperating ACP farms have a conservation plan, and again, these plans were prepared before any land development occurred -- setting the stage for technically sound guided development.



W. E. Long
State Conservationist

June 16, 1980

The Honorable Bob Bergland
Secretary
Department of Agriculture
14th Street and Independence Avenue, S.W.
Washington, D.C. 20250

Dear Secretary Bergland:

I am writing to urge the reinstatement by the U.S. Department of Agriculture of Agricultural Conservation Program (ACP) practices of land development that are uniquely suited to Alaska.

In the past, two practices, "Conserving and Protecting Rural Resources" and "Removal of Berm Rows and Berm Piles," have been included in the ACP cost-share program for Alaskan farmers. It is my understanding that while the FY 81 appropriation to the ASCS program in Alaska has not been cut, these two practices have now been declared inconsistent with Department of Agriculture policy because they are production rather than conservation oriented.

While it is true that some Alaskan farmers are putting new lands into production, many agricultural officials in the State maintain that the ACP cost-sharing program has been a major factor in the prudent development of farmland in our state. The value of the ACP program is that it provides the farmer with necessary technical assistance before any development occurs, thereby insuring sound development of soils that have adequate agricultural potential. This is particularly important in the fragile arctic and sub-arctic conditions where erosion and destruction of topsoil can be easily accomplished. In most of Alaska, land clearing must be performed when the ground is frozen to prevent loss or permanent damage to the topsoil.

The use of berm rows and other clearing residues have an important impact in Alaska. These practices minimize erosion and improve drainage. Further, by improving the quality of agricultural soils, they have greatly enhanced wildlife values for some big game and migrating waterfowl.

The Honorable Bob Bergland
June 16, 1980
Page 2

Federal agricultural programs designed for fully developed farm areas often exclude the emerging Alaskan farmer. One notable exception has been the ACP cost-share program in Alaska, which promotes the philosophy that a relatively small amount of money spent now on prevention will multiply in value as more agricultural land is developed in Alaska. It will be far more costly in the future to remedy present day mistakes, if they can be repaired at all.

It is my belief that the two practices of land clearing done in Alaska do comply with the intent of ASCS policy in that they have great long-range conservation and pollution abatement effects, despite the fact that they are being instituted on new farmland. I hope you will give full consideration to reinstating these practices.

Sincerely yours,

Terry Miller
Lieutenant Governor

cc: The Honorable Ted Stevens
The Honorable Mike Gravel
The Honorable Don Young

bcc: Mr. Bob Palmer, Special Projects
Mr. Nick Carney
Mr. Charles Marsh
Mr. Bob Pollock
Mr. James Fisher

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF NATURAL RESOURCES DIVISION OF AGRICULTURE

P.O. BOX 1088
PALMER, ALASKA 99645
PHONE: (907) 745-3236

October 7, 1980

TO: Alaska State ASCS Office
2221 E. Northern Lights - Suite 201
Anchorage, Alaska 99504

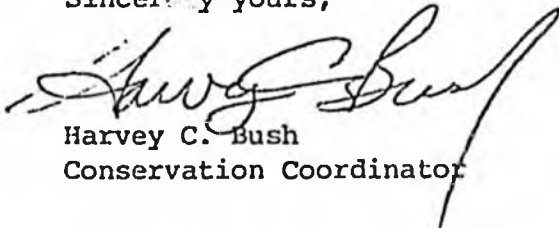
FROM: Alaska Soil Conservation District

At their meeting of October 3, 1980 the Alaska Soil Conservation District Board of Directors reviewed the proposed State-Federal Small Farm Project which was submitted by your office. After discussing this proposal the Board issued the following statement:

The Alaska Soil Conservation District Board of Directors endorses the concept of a State funded land clearing cost-sharing program.

If we can be of any further assistance, please feel free to contact us at the Division of Agriculture.

Sincerely yours,



Harvey C. Bush
Conservation Coordinator

paw

RECEIVED

OCT 8 1980

ALASKA STATE
ASCS OFFICE



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY

2221 E. Northern Lights Blvd., Suite 126
Anchorage, Alaska 99504

October 7, 1980

Administrator Ray Fitzgerald
Agricultural Stabilization & Conservation Service
U.S. Department of Agriculture
Washington, D.C. 20250

Re: Proposed State/Federal Project to lend ASCS structure to Alaska for cost share program.

The proposed project for improvement of Alaska's small farms by a State-Federal Project which would lend the Agricultural Stabilization & Conservation Service (ASCS) structure and network to the state for distribution of state provided incentive payments, appears to be the very type of activity desirable to help Alaska move towards agricultural self-sufficiency.

It would seem the project would encourage and enhance conservation practices in a way, and in a sector of activity, in the state of Alaska which ordinarily might not be exposed to such conservation emphasis. The experience of ASCS should permit administration without immediate addition of state employment. However, the experience itself would provide a reservoir of knowledge for future activities and assist state renewable resource development.

The idea of encouraging careful and appropriate clearing practices seems essential since such activity will go on regardless of Federal policy disapproval. As a matter of fact, the state's land disposal policy, in some instances, almost mandates clearing. Therefore, it is highly desirable the appropriate conservation practices be encouraged, with a cooperative commitment of the farmers entering on newly opened Alaska land.

The emphasis on 100 small farmers per year would seem to dovetail with the land disposal sales made by the Alaska Department of Natural Resources. The proposed clearing rates per acre appear realistic enough to lend reasonable thrust to conservation practices. The limitation would also be more valuable to the small farmers which would match USDA initiatives to help that sector of agriculture.

I would enthusiastically endorse and encourage this program in any way possible.

James E. Fisher
James E. Fisher
U.S. Department of Agriculture
Representative

cc: Office of Intergovernmental Affairs

Encl.



COOPERATIVE EXTENSION SERVICE

UNIVERSITY OF ALASKA
FAIRBANKS ALASKA 99701

2651 Providence Avenue
Anchorage, Alaska 99504
Phone: (907)263-1866

September 25, 1980

Charles F. Marsh
State Executive Director
ASCS
2221 E. Northern Lights Blvd.
Suite 125
Anchorage, AK 99504

Dear Charlie:

I appreciated the opportunity to renew the proposal for "A Proposed State-Federal Small Farm Project." The objectives in the proposal are well stated. The proposal's objectives fit well the objectives that the Cooperative Extension Service has for Alaska's small farmers. I certainly hope that the proposal is funded. Our CES staff work with all of the farmers that will be involved and we will give full support through our programs to this project.

Sincerely,

Peter M. Probasco
Associate Director

baf

CC Dr. James W. Matthews
Al Epps

H B

4 7

COMMITTEE REPORT

HOUSE

4
2/7/81

FURTHER: JUDICIARY

(11)

Date: MAY 22, 1981

Mr. Speaker:

The Committee on RESOURCES has had HB 47

"An Act establishing mandatory imprisonment and fines as penalties for violation of hunting laws prohibiting waste of moose and caribou."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 47 same title
- new title
- and recommends DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Tony Laurin

Rick Halford

Frank S. Scharff

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Frank S. Scharff No Rec

Tony Laurin
CHAIRMAN

Frank S. Scharff

(substitute)

DRAFT OF PROPOSED AMENDMENTS FOR HB.47

*Section 1. AS 16.30.010 is amended by:

(d) In this section, "most of the edible meat" of a big game ~~wild~~ food animal means no less than the meat of the ribs, neck and brisket, and the meat of the front quarters, as far as the juncture of the humerus and the radius-ulna (knee), and the meat of the hindquarters, as far as the distal joint of the tibia-fibula (stifle joint) and that portion of the animal between the front and the hindquarters except the viscera. However, the following is not considered edible meat:

- (1) the meat of the head;
- (2) any meat that has been damaged and made inedible by the method of taking; and
- (3) the bones, sinew, and incidental meat reasonably lost as a result of boning or a close trimming of the bones.

(e) In this section, "most of the edible meat" of a small game animal means no less than the meat of the breast.

(f) If a person is convicted under this section of failing to salvage edible meat of a big game food animal, the court shall impose a minimum sentence of imprisonment of 5 days and a minimum fine of \$2500 and shall, in addition, impose loss of hunting privileges for that year and the year following. The execution of the minimum sentence under this subsection may not be suspended nor may probation be granted until the minimum imprisonment provided in this section has been served. Imposition of sentence may not be suspended.

*Section 11. AS 16.30.030 is amended:

(2) "big game" ~~wild~~ food animal" includes a moose, caribou, mountain sheep, mountain goat, feral reindeer, deer elk, bison, musk ox, walrus [duck, goose, brant, wilson or jack snipe, grouse and ptarmigan.]

(3) "Small game wild food animal" includes all species of wild waterfowl, snipe and cranes, and grouse and ptarmigan.

USE OF GAME

5 AAC 81.210. GAME AS ANIMAL FOOD OR BAIT. The use of game as food for dogs or fur animals or as bait is prohibited with the following exceptions:

- (1) the hide, skin, viscera, or bones of any game;
- (2) the skinned carcasses of bear or fur animals;
- (3) hares, rabbits and red squirrels;
- (4) legally taken unclassified game.

5 AAC 81.215. UTILIZATION OF CARNIVORES. The hide or flesh of bears, wolves, wolverine, coyotes, fox and lynx must be salvaged for human use.

5 AAC 81.216. RETRIEVAL OF BIG GAME MEAT. The meat of caribou taken in the portions of Units 18 and 21 north of the Yukon River and Units 22 through 26 must be removed immediately or cached within 10 days of taking in such a manner that it cannot readily be reached by scavengers.

5 AAC 81.218. FEEDING OF GAME. Within the State of Alaska it is unlawful to deliberately feed bears, wolves, foxes or wolverine or to deliberately leave human food or garbage in such a manner that it attracts such animals. This does not apply to the use of legal bait materials used in trapping fur animals.

QUANTITY OF MEAT TO BE SALVAGED FROM WILD FOOD ANIMALS (AS 16.30.010)

(a) It is unlawful for a person who kills a wild food animal to intentionally, knowingly, recklessly or negligently fail to salvage for human consumption most of the edible meat of a wild food animal, unless he shows that failure to salvage the meat was due to circumstances beyond his control, including but not limited to:

- (1) loss in the field to another animal;
- (2) weather or other acts of God;
- (3) theft.

(b) If the edible meat is not lawfully salvaged for human consumption under (a) of this section, the person who killed the animal is guilty of a misdemeanor and upon conviction:

- (1) is punishable by a fine of not more than \$5,000, or by imprisonment for not more than six months, or by both; and
- (2) shall surrender to the Department of Fish and Game all portions of the animal that have been salvaged.

(c) The shooting of a wild food animal is prima facie evidence of intent to kill it.

(d) In this section, "most of the edible meat" of a wild food animal means no less than the meat of the front quarters, as far as the juncture of the humerus and the radius ulna (knee), and the meat of the hindquarters, as far as the distal joint of the tibia/fibula (stifle joint) and the portion of the animal between the front- and hindquarters except the viscera and the meat of the ribs. However, the following is not considered edible meat:

- (1) the meat of the head and the neck;
- (2) any meat that has been damaged and made inedible by the method of taking; and

USE OF GAME

(3) the bones, sinew, and incidental meat reasonably lost as a result of boning or a close trimming of the bones. AS 16.30.010

NOTICE TO HUNTERS

Hunters who take game, and who may not wish to utilize all the meat legally required to be salvaged, are urged to contact the village council of the nearest town or village to offer the meat for their use. Wild game is important to many local Alaskans.

POSSESSION OF RAW HORNS OR ANTLERS (AS 16.30.012)

(a) It is unlawful to possess the raw horns or antlers of a wild food animal without its being accompanied by most of its edible meat unless:

- (1) most of its edible meat was salvaged in accordance with law;
- (2) the horns or antlers were acquired by gift from another person after the associated meat was salvaged;
- (3) the meat was lost due to circumstances beyond the possessor's control, including loss in the field to another animal, weather or other acts of God, or theft.

(b) If a person who possesses raw horns or antlers without its being accompanied by most of its edible meat raises a justification specified in (a)(1)(3) of this section, additional corroborating evidence of that justification may be required by the department. In this section:

(1) "being accompanied" means having most of the meat in actual possession with the horns or antlers unless the person is engaging in the act of transporting most of the meat from the same animal in portions at different times but in a continuous manner without unnecessary interruption, from the place of taking to its destination for human consumption;

(2) "raw" means an appearance, by reasonable observation, that indicates its having been taken from a wild food animal during the current or most recent lawful hunting season for that animal.

ARTICLE 6. CONTROLLED USE AREAS.

5 AAC 81.221. DELTA MANAGEMENT AREA. That area bounded on the north by the Alaska Highway east from Delta Junction to the Little Gerstle River trail, then south along the west side of the trail to its end, then along a line running due south-southeast to the west bank of the Johnson River, then southwest along the west bank of the Johnson River and Johnson Glacier to Mount Gakona (latitude 63°17'N, longitude 145°12'W) then due west to the north edge of Canwell Glacier, then west along the north edge of Canwell Glacier and north bank of Miller Creek to the Richardson Highway (latitude 63°22'N, longitude 145°45'W) then across the

DEFINITIONS

5 AAC 90.020. DEFINITIONS. In chapters 81-90 of this title:

AIRPORT means an Alaska airport listed in the Federal Aviation Agency Alaska Airman's Guide and Chart Supplement;

ANIMAL, for the purpose of these regulations, means those species with a vertebral column (backbone);

BAG LIMIT means the greatest number of game species permitted to be taken by any one person in the Unit or portion of a Unit in which the taking occurs; however, additional numbers of a species may be taken in another designated open Unit or portion of a Unit where a greater limit on such species is prescribed; in no case may the total or cumulative bag for one person exceed the limit set for the Unit or portion of a Unit in which the additional game was taken;

BIG GAME ANIMALS includes black bear, brown and grizzly bear, bison, caribou, Sitka blacktail deer, elk, mountain goat, moose, muskoxen, mountain or Dall sheep, wolf and wolverine;

BOW means long bow, recurve bow, and compound bow, but not crossbows.

BROW TINE means a tine on the anterior portion of a moose antler, typically projecting forward from the base of the antler toward the nose;

CAMP means a structure erected for the purpose of providing overnight shelter and equipped with bedding and eating facilities for occupants;

CLOSED SEASON means the time during which game may not be taken;

CUB BEAR means a brown, grizzly or polar bear in its first or second year of life, or a black bear (including the cinnamon and blue-color phases) in its first year of life;

DIRE EMERGENCY is limited to a situation in which a person:

- (1) is in a remote area;
- (2) is involuntarily experiencing an absence of food required for sustenance;
- (3) if wild game food is not immediately taken and consumed, will be unable to perform the functions necessary for survival, leading to a high risk of death or serious and permanent health problems; and
- (4) cannot expect to obtain alternative food sources in time to avoid the consequences described in (3) above;

FALCONRY means the sport of taking game by means of trained raptors.

FUR ANIMALS includes beaver, coyote, arctic fox, red fox, lynx, marten, mink and weasel, muskrat, land otter, sea otter, raccoon, red squirrel, flying squirrel, ground squirrel and marmot, wolf and wolverine, excepting domestically raised fur animals;

GAME. All species of birds and mammals, including feral domestic animals, found or that may be introduced in Alaska, except domestic birds and mammals; provided, however, that "game" as herein defined is further classified by regulations as big game, small game, fur animals, marine mammals, and unclassified game;

HIGHWAY means the driveable surface of any constructed road;

MARINE MAMMALS includes walrus, fur seals, hair seals, sea lions, sea otters, porpoises, belugas, and other whales;

NONRESIDENT Any person who does not qualify as a resident herein defined;

MOTORIZED VEHICLE means a motor-driven land, water or air conveyance;

DEFINITIONS

OPEN SEASON means the time during which game may lawfully be taken, each period of time prescribed as an open season includes the first and last days of the period prescribed;

PERMIT HUNTS as used in 5 AAC 81.055, means hunts in which permits are issued on a drawing or registration basis;

DRAWING PERMIT means a permit issued to a limited number of people who are selected by means of a lottery held for all persons submitting valid applications for such permits and who agree to abide by the conditions specified for each hunt, and;

REGISTRATION PERMIT means a permit issued to an unlimited number of persons who agree with the conditions specified for each hunt;

PERSON, for purposes of hunting and trapping regulations (chapters 81 and 84), means a natural person and does not include a corporation, company, partnership, firm, association, organization, business trust or society;

POISON means any substance which is toxic or poisonous upon contact or ingestion;

RAW IVORY means a walrus tusk (upper canine tooth) which has not been endowed with functional cultural or aesthetic qualities by altering its natural form or surface through carving, drilling, cutting, filing, or engraving; raw ivory is not altered, in the connotation of this definition, by surface polishing or for a head mount; the latter consisting of ivory (tusks) in a skull or part of a skull;

REGULATORY YEAR means July 1 to June 30, inclusive;

RESIDENT. A person who for 12 consecutive months has maintained a permanent place of abode within the state and who has continually maintained his voting residence in the state; and in the case of a partnership, association, joint stock company, trust or corporation, resident shall mean one that has its main office or headquarters in the state; provided, however, that any member of the military services who has been stationed in the state for the immediately preceding 12 consecutive months shall be considered a resident, and the dependent of any such member, who has been living in the state for the immediately preceding year shall likewise be considered a resident; provided, further that a person who is an alien, but who for three years maintained a permanent place of abode within the state, shall likewise be considered a resident;

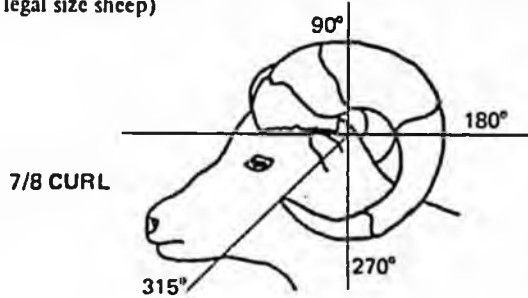
SEALING is the placing of a mark or tag on a portion of an animal by an authorized representative of the Department of Fish and Game in accordance with regulatory requirements that such specimens be sealed. "Sealing" usually includes the provision and recording of information concerning the conditions under which the animal was harvested and may include measurements of the specimen submitted for "sealing" and/or the surrendering of specific portions of the animal for biological purposes;

SEAL PUP means a seal that weighs less than 50 pounds;

SECOND DEGREE OF KINDRED means the relatives who are parents, grandparents, children, grandchildren and sisters or brothers of the person acting as a guide;

DEFINITIONS

SEVEN-EIGHTHS CURL HORN means the horn of a mature mountain sheep, the tip of which has grown through seven-eighths of a circle (315°), described by the outer surface of the horn, as viewed from the side. (Beginning in 1979, 7/8 curl is the minimum legal size sheep)



SKIN means any tanned or untanned hide of an animal, including claws;

SMALL GAME means all species of grouse, hares, rabbits, ptarmigan and waterfowl, and Wilson or jacksnipe;

TAKE means taking, pursuing, hunting, fishing, trapping, or in any manner disturbing, capturing, or killing, or attempting to take, pursue, hunt, fish, trap, or in any manner capture or kill fish or game;

TINE or antler point refers to any point on an antler whose length is at least one inch (1"), and in addition, greater in length than its width measured in a straight line across the base;

TRANSPORT means shipping, carrying, importing, exporting, or receiving or delivering for shipment, carriage or export;

UNCLASSIFIED GAME means all species of game not otherwise classified in these definitions;

UNIT means one of the 26 geographical areas listed under Game Management Units in the codified hunting, trapping and guiding regulations and the Game Management Unit Map of Alaska;

WILD FOOD ANIMAL means wild animals including moose, caribou, mountain sheep, mountain goat, reindeer, deer, elk, bison, muskox, ducks, geese, cranes, brant, Wilson or jacksnipe, grouse and ptarmigan.

RABIES INFORMATION

Dept. of Health & Social Services
Division of Public Health

RABIES, a virus disease of the central nervous system which is nearly always fatal, occurs naturally in wild animal populations

Man can become infected through the bite of a rabies-infected animal (generally a fox, wolf, or dog) or through exposure of an open cut or scratch to saliva of an infected animal. For this reason, plastic or rubber gloves should be worn when skinning foxes or wolves.

Most diseased animals act strangely; being unnaturally withdrawn, overly friendly or "mad." The latter action, one in which the animal will bite or attack anything including other animals, people or objects, is most often associated with rabies. "Dumb" rabies also occurs, however, and should be recognized as being equally dangerous. Paralysis, usually of the lower jaw, is its first recognizable symptom.

If bitten by a:
copious amounts of s

A domestic ani
of 10 days—if it sho
confirm presence of
virology laboratory, u

- (1) wear plasti
 - (2) wrap head
 - (3) place plasti
 - (4) remove glo
 - (5) wrap packa
- listed num
PERISHAE
laboratory

Specimens

Viro
Alas
Arct
Univ
Fair

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 47
 Title Prohibition Against Waste of Meat of Wild Food Animals
 Requested by Resources Date 5/22/81

II. FISCAL DETAIL

Agency Affected Department of Fish and Game
 Program Category Affected NRMEC
 BRU, Program, or Subprogram(s) Affected Game Division

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Would not affect program, except to tend to curtail wastage of game meat.

C. Brown

IV. DATE June 5, 1981 PREPARED BY Catherine H. Brown
 AGENCY Department of Fish and Game
 PHONE 465-4100

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 47
 Title "An Act Establishing Mandatory Imprisonment/Fines For Violation of Hunting Laws.....
 Requested by House Resources Date 1/29/82

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected NRMEC
 BRU, Program, Or Subprogram(s) Affected Fish & Wildlife Protection
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

NO FISCAL IMPACT

IV. DATE 1/29/82 PREPARED BY AS Col. Robert J. Stickles
 AGENCY Fish & Wildlife Protection, DPS
 Original: Legislative Finance PHONE 269-5534
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

TABLE 1
Arrests for Waste of Moose, Caribou, Sheep, Goat and Deer
By Disposition of Case
1975 - 1980

	1975	1976	1977	1978	1979	1980*	All Years
Arrests	7	29	27	27	16	6	112
Resident	7	20	23	21	9	5	85
N-Resident		9	4	6	7	1	27
Convictions	6	21	18	20	13	4	82
No Penalty	1	2	1	2			6
Fine Only		5	8	12	4	2	31
Jail Sentence Only**	1	5					6
Revocation of License Only							
Fine & Jail**	4	4	5	1	4	1	19
Fine, Jail** & Revocation of License		5	2	2	3		12
Fine & Revocation of License			2	3	2	1	8

* Data for 1980 is incomplete.

** Includes suspended jail sentences.

Source: Department of Public Safety, 2/10/81.

TABLE 2
Arrests for Waste of Caribou by Disposition of Case
1975 - 1980

	1975	1976	1977	1978	1979	1980*	All Years
Arrests		10	10	5	5		30
Resident		10	9	3	2		24
N-Resident			1	2	3		6
Convictions		7	7	5	4		23
No Penalty			1				1
Fine Only			3	5	1		9
Jail Sentence Only**		2					2
Revocation of License Only							
Fine & Jail**		2	3		2		7
Fine, Jail** & Revocation of License		3			1		4
Fine & Revocation of License							

* Data for 1980 is incomplete.

** Includes suspended jail sentences.

Source: Department of Public Safety, 2/10/81.

TABLE 3
 Arrests for Waste of Caribou By Year
 1975 - 1980
 (Net penalty equals the amount actually paid
 or length of time actually served.)

1975	Verdict	Fine Total Net		Jail Total Net		Revocation of License # Months
	None					

1976		Verdict	Fine Total Net		Jail Total Net		Revocation License # Months
1	Resident	Dismissed					
2	Resident	Guilty	\$ 500	\$ 500	Suspended		12
3	Resident	Guilty	500	500	Suspended		12
4	Resident	Guilty	500	500	Suspended		12
5	Resident	Dismissed					
6	Resident	Dismissed					
7	Resident	Guilty			10 days	10 days	
8	Resident	Guilty	500	500	2	2	
9	Resident	Guilty			10	10	
10	Resident	Guilty	500	300	60		

Arrests for Waste of Caribou
Continued

1977		Verdict	Fine		Jail		Revocation of License # Month
			Total	Net	Total	Net	
1	Resident	Guilty					
2	Resident	Guilty	\$ 500	\$500			
3	Resident	Guilty	500	500			
4	N-Resident	Guilty	500	500			
5	Resident	Guilty	500	500			
6	Resident	Dismissed					
7	Resident	Guilty	1000	400	10 days	2 days	
8	Resident	Dismissed					
9	Resident	Dismissed					
10	Resident	Guilty	1000	400	10		

1978		Verdict	Fine		Jail		Revocation of License # Months
			Total	Net	Total	Net	
1	N-Resident	Guilty	\$ 750		Suspended		
2	N-Resident	Guilty	750	750			
3	Resident	Guilty	250				
4	Resident	Guilty	250				
5	Resident	Guilty	250				

Arrests for Waste of Caribou
Continued

1979		Verdict	Fine Total Net		Jail Total Net		Revocation of License # Months
1	Resident	Guilty	\$ 600	\$ 600	45 days	3 days	12
2	N-Resident	Guilty	750	500			
3	N-Resident	Guilty	500	500	Suspended		
4	N-Resident	Guilty	1000		5		
5	Resident	Dismissed					

1980		Verdict	Fine Total Net		Jail Total Net		Revocation of License # Months
None							

TABLE 4
Arrests for Waste of Sheep By Disposition of Case
1975 - 1980

	1975	1976	1977	1978	1979	1980*	All Years
Arrests	3	2	5	5	2		17
Residents	3		4	4	2		13
N-Residents		2	1	1			4
Convictions	2	1	1	1	2		7
No Penalty	1						1
Fine Only			1	1			2
Jail Sentence Only**							
Revocation of License Only							
Fine & Jail**	1						1
Fine, Jail** & Revocation of License		1					1
Fine and Revo- cation of License					2		2

* Data for 1980 is incomplete.

** Includes suspended jail sentences.

Source: Department of Public Safety, 2/10/81.

TABLE 5
 Arrests for Waste of Sheep By Year
 1975 - 1980
 (Net penalty equals the amount actually paid
 or length of time actually served.)

1975		Verdict	Fine		Jail		Revocation of License # Months
			Total	Net	Total	Net	
1	Resident	Dismissed					
2	Resident	Guilty	\$ 300		5		
3	Resident	Guilty					

1976		Verdict	Fine		Jail		Revocation of License # Months
			Total	Net	Total	Net	
1	N-Resident	Guilty	\$1500	\$1500	30 days		24
2	N-Resident	Dismissed					

1977		Verdict	Fine		Jail		Revocation of License # Months
			Total	Net	Total	Net	
1	N-Resident	Guilty	\$ 500	\$ 500			
2	Resident	N-Guilty					
3	Resident	N-Guilty					
4	Resident	Dismissed					
5	Resident	Dismissed					

1978		Verdict	Fine		Jail		Revocation of License # Months
			Total	Net	Total	Net	
1	Resident	N-Guilty					
2	Resident	N-Guilty					
3	Resident	N-Guilty					
4	N-Resident	Guilty	\$ 500	\$ 500			
5	Resident	N-Guilty					

Arrests for Waste of Sheep By Year
Continued

1979	Verdict	Fine		Jail		Revocation of License # Months
		Total	Net	Total	Net	
1	Resident	Guilty	\$ 200	\$ 200		12
2	Resident	Guilty	200	200		12

1980	Verdict	Fine		Jail		Revocation of License # Months
		Total	Net	Total	Net	
None						

TABLE 6
Arrests for Waste of Goats by Disposition of Case
1975 - 1980

	1975	1976	1977	1978	1979	1980*	All Years
Arrests			5	3			8
Resident			5	3			8
N-Resident							
Convictions			3	3			6
No Penalty							
Fine Only			3	3			6
Jail Sentence Only**							
Revocation of License Only							
Fine and Jail**							
Fine, Jail** & Revocation of License							
Fine and Revo- cation of License							

* Data for 1980 is incomplete.

** Includes suspended jail sentences.

Source: Department of Public Safety, 2/10/81.

TABLE 7
 Arrests for Waste of Goats By Year
 1975 - 1980
 (Net penalty equals the amount actually paid
 or the length of time actually served.)

1975	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
None				

1976	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
None				

1977	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
1	Resident Guilty	\$1000 \$ 500		
2	Resident Guilty	1000 500		
3	Resident Guilty	500 500		
4	Resident N-Guilty			
5	Resident N-Guilty			

1978	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
1	Resident Guilty	\$ 150 \$ 150		
2	Resident Guilty	250 200		
3	Resident Guilty	250 200		

1979	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
None				

Arrests for Waste of Goats
Continued

1980	Verdict	Fine Total	Net	Jail Total	Net	Revocation of License # Months
	None					

TABLE 8
Arrests for Waste of Deer By Disposition of Case
1975 - 1980

	1975	1976	1977	1978	1979	1980*	All Years
Arrests			2		1		3
Resident			1		1		2
N-Resident			1				1
Convictions			2		1		3
No Penalty							
Fine Only			1				1
Jail Sentence Only**							
Revocation of License Only							
Fine & Jail**					1		1
Fine, Jail** & Revocation of Lic.			1				1
Fine & Revo- cation of License							

* Data for 1980 is incomplete.

** Includes suspended jail sentences.

Source: Department of Public Safety, 2/10/81.

TABLE 9
 Arrests for Waste of Deer By Year
 1975 - 1980
 (Net penalty equals the amount actually paid
 or the length of time actually served.)

1975	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
None				

1976	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
None				

1977	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
1	N-Resident	Guilty	\$ 500 \$ 50	
2	Resident	Guilty	300 150	5 days 2

1978	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
None				

1979	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
1	Resident	Guilty	\$ 250 \$ 250	Suspended

1980	Verdict	Fine Total Net	Jail Total Net	Revocation of License # Months
None				

H B

4 9

COMMITTEE REPORT

HOUSE

2/6/81

FURTHER: FINANCE

(11)

Date: _____

Mr. Speaker:

The Committee on RESOURCES has had SSHB 49

"An Act making a special appropriation to the development of Commerce and Economic Development for the Alaska Agricultural Action Council to construct facilities for a small grains marketing system; and providing for an effective date "

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SSHB 49 same title
 new title
- and recommends DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

Terry Landrum
Frank J. ...
...
D. Smith
Robert A. B. ...
...

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

Eric ...
...
Rick ... - NO REC

Terry Landrum
 120 - CHAIRMAN
Frank J. ...
 Co-Chairman

Alaska State Legislature



REPRESENTATIVE
H. PAPPY MOSS
P.O. BOX 182
DELTA JUNCTION, ALASKA 99737
(907) 895-4384

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA
99811
(907) 465-4990

House of Representatives

February 19, 1981

The Honorable Terry Gardiner
The Honorable Fred Zharoff
Co-Chairmen of House Resources

Dear Mr. Chairman and Members of the Committee:

I would like to thank you and members of the Committee for attending the Joint Senate/House Resources Committee when SSSB 162 was discussed. As you know, SSHB 49 deals with the same subject - a tidewater grain elevator and transfer facility for handling grain grown in Alaska.

I agree with you, that if the State of Alaska wishes to develop its renewable resources, and have this development done by the citizens of the state, we must also be willing to make the commitment to supply the front-end to construct the necessary facilities.

It should also be noted that this appropriation is a loan . . . a loan to the present and future farmers of Alaska. As the production levels increase, the amortization will be assured.

I can not emphasize strongly enough the absolute necessity of this terminal and transfer facility for the continued expansion of agriculture development in the state.

Sincerely,

A handwritten signature in cursive script that reads "Pappy Moss".

H. Pappy Moss

Alaska State Legislature



REPRESENTATIVE
H. PAPPY MOSS
P.O. BOX 182
DELTA JUNCTION, ALASKA 99737
(907) 895-4384

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA
99811
(907) 465-4990

House of Representatives

February 16, 1981

The Honorable Bettye Fahrenkamp
Chairman
Senate Resources Committee

Madam Chairman:

Re: SSSB 162

The Delta agricultural development project is presently approaching its second year of production. The program established 60,000 acres in the Delta area designated for agriculture production to be sold by lottery. Successful applicants contracted to a schedule of completing one third of the clearing work in the first year, 60% of Class II and III soils prepared to plant by the second year and 90% by the third year.

In 1980, operating ahead of schedule, 7,600 acres were in production, with a harvest of 8,000 tons of barley. In 1981, with the project on schedule, 30,000 acres will be prepared for planting, with fertilizer on order for 16,000 acres.

In-state use will account for approximately 6,000 tons of grain. The state must be prepared to sell 15,000 tons of grain this year. If we are truly interested in the development of agriculture in Alaska, we must plan for an exporting capability.

In 1980, 15 tons of grain were test-marketed to Japan. The product met the quality and price competitiveness criteria for a viable export product. We are already anticipating an increase in tonnage production of over a hundred per cent in one year. The remaining element is transportation.

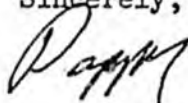
A tidewater facility for loading grains onto ships, railroad cars to transport the grain to tidewater, and a transfer facility in North Pole are necessary. The funds for grain cars have been transferred from another allocation made in 1979 for passenger cars which were never purchased. The remaining two legs of this transportation tripod are the grain elevator at the tidewater location and the transfer facility at North Pole.

February 16, 1981

Markets have already been established in Japan, Korea, and Taiwan. Recently, interest was also expressed by Hawaii. I personally met with three Japanese representatives from Hokkaido who have tested and utilized Alaskan barley. Their present sources are Australia, Canada, and domestic production. These tests show that Alaskan grain is far superior, and they are interested in purchasing 70,000 metric tons per year.

This system -- transfer facility, transportation, and tide water elevator -- is integral to this year's agricultural effort. The system has been well planned, and I would strongly encourage the Committee to approve the funds.

Sincerely,



H. Pappy Moss

Alaska State Legislature



REPRESENTATIVE
H. PAPPY MOSS
P.O. BOX 182
DELTA JUNCTION, ALASKA 99737
(907) 895-4384

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JUNEAU, ALASKA
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House of Representatives

February 16, 1981

The Honorable Bettye Fahrenkamp
Chairman
Senate Resources Committee

Madam Chairman:

Re: SSSB 162

The Delta agricultural development project is presently approaching its second year of production. The program established 60,000 acres in the Delta area designated for agriculture production to be sold by lottery. Successful applicants contracted to a schedule of completing one third of the clearing work in the first year, 60% of Class II and III soils prepared to plant by the second year and 90% by the third year.

In 1980, operating ahead of schedule, 7,600 acres were in production, with a harvest of 8,000 tons of barley. In 1981, with the project on schedule, 30,000 acres will be prepared for planting, with fertilizer on order for 16,000 acres.

In-state use will account for approximately 6,000 tons of grain. The state must be prepared to sell 15,000 tons of grain this year. If we are truly interested in the development of agriculture in Alaska, we must plan for an exporting capability.

In 1980, 15 tons of grain were test-marketed to Japan. The product met the quality and price competitiveness criteria for a viable export product. We are already anticipating an increase in tonnage production of over a hundred per cent in one year. The remaining element is transportation.

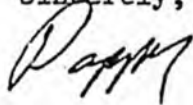
A tidewater facility for loading grains onto ships, railroad cars to transport the grain to tidewater, and a transfer facility in North Pole are necessary. The funds for grain cars have been transferred from another allocation made in 1979 for passenger cars which were never purchased. The remaining two legs of this transportation tripod are the grain elevator at the tidewater location and the transfer facility at North Pole.

February 16, 1981

Markets have already been established in Japan, Korea, and Taiwan. Recently, interest was also expressed by Hawaii. I personally met with three Japanese representatives from Hokkaido who have tested and utilized Alaskan barley. Their present sources are Australia, Canada, and domestic production. These tests show that Alaskan grain is far superior, and they are interested in purchasing 70,000 metric tons per year.

This system -- transfer facility, transportation, and tidewater elevator -- is integral to this year's agricultural effort. The system has been well planned, and I would strongly encourage the Committee to approve the funds.

Sincerely,



H. Pappy Moss

February 7, 1981

Feeding trials with Alaskan barley

Coordinator in Japan: Dr.H.Oohara

1. Chemical analysis of Alaskan barley and Canadian barley
2. Feeding trials with Alaskan barley and Canadian barley

1) beef cattle

(1) Higashimokoto

Alaskan barley 16 heads

Canadian barley 16 heads

Period of feeding ;Dec.8,1980-Feb.12,1981

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Alaskan barley 7 heads

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Period of feeding;Dec.10,1980-March 10,1981

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1st trial

Alaskan barley 34heads

Canadian barley 26 heads

Period of experiment;Oct.21,1980-Feb.5,1981

2nd trial follows to 1st trial.



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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SPONSOR SUBSTITUTE FOR HOUSE BILL 49
 Title Making a special appropriation to DCED for AAAC for small grains mktg system
 Requested by _____ Date 2/13/81

II. FISCAL DETAIL

Agency Affected Department of Commerce and Economic Development
 Program Category Affected Economic Development
 BRU, Program, or Subprogram(s) Affected Alaska Agricultural Action Council
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
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500 EQUIPMENT						
600 LAND & STRUCTURES	6,400.	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

GENERAL FUND	6,400.	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

We expect the facilities to be constructed will be sold or leased to the private sector, at no further expense to the State.

IV. DATE February 13, 1981 PREPARED BY W. I. "Bob" Palmer

AGENCY Alaska Agricultural Action Council
 PHONE 465-3568

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

TO: All Council Members
Alaska Agricultural Action Council

DATE: December 15, 1980

FILE NO:

TELEPHONE NO:

FROM: Robert C. Pollock *R.C.P.*
Executive Director
Alaska Agricultural Action Council

SUBJECT: Grain Marketing System

One of the major causes for this year's crop damage and the resulting tonnage reduction was late seeding of the barley. This late seeding caused the grain to mature late and make it more vulnerable to frost damage, early snows, and bison.

A professional farmer usually begins planning his season and operational requirements immediately after harvest. Two major obstacles are preventing our State's farmers from proper advance planning - 1. no marketing system and 2. bison damage.

Without at least a good indication of a marketing system, you can expect the following:

1. Potential acreage in production will be greatly reduced because farmers will not be able to plan far enough in advance.
2. The chance of another poor quality crop will be increased because of late seeding.
3. There will be a shortage of both seed and fertilizer because Alaska Farmers Cooperative, Inc. will not be able to adequately plan and order supplies.
4. There may be a shortage of farm machinery because neither farmers nor dealers will stock sufficient equipment.
5. There will definitely be a shortage of grain storage.

At the direction of the Alaska Agricultural Action Council, our farmers have spent considerable time exploring various marketing systems and have unanimously decided to pursue a cooperative-pooling arrangement as described by Greg Engellant at the last Alaska Agricultural Action Council meeting. I've enclosed a draft of the legislation they intend to introduce to the legislature. The Alaska Grain Exchange has been meeting with various legislators and soliciting support from many areas.

Please analyze their proposed legislation and be prepared to discuss it at the next Alaska Agricultural Action Council meeting.

DRAFT

For an Act entitled: The Non-Recourse Loan Program for Small Grains.

Section 1. INTENT. The legislature finds that there is a need to develop agriculture in the State of Alaska and, furthermore, the prompt establishment of a marketing system is necessary to promote the orderly growth of agriculture.

Section 2. AS 03.19.010 is repealed and re-enacted as follows:

ESTABLISHMENT OF A PROGRAM. The division of agriculture shall establish and administer a loan program for small grains according to the provisions of this chapter. The Division of Agriculture may operate the facilities obtained or constructed pursuant to this chapter or may lease said facilities or a portion of them to farm co-ops, the Alaska Grain Exchange, or any other suitable entity.

Section 3. AS 03.19.020 is repealed and re-enacted as follows:

TIDEWATER GRAIN TERMINAL. The sum of 5.7 Million Dollars is appropriated from the general fund to the Agricultural Action Council for the construction of a tidewater grain terminal.

Section 4. AS 03.19.030 is repealed and re-enacted as follows:

GRAIN RAILROAD CARS. The sum of 800 Thousand Dollars is appropriated from the general fund to the Agricultural Action Council to purchase and obtain railroad cars designed for the transport of small grains.

Section 5. AS 03.19.040 is repealed and re-enacted as follows:

GRAIN SUB-TERMINAL. The sum of 700 Thousand Dollars is appropriated from the general fund to the Agricultural Action Council for the construction of a grain sub-terminal and elevator facility between Fairbanks and Delta Junction, Alaska.

Section 6. AS 03.19.050 is repealed and re-enacted as follows:

non-profit corporation, for organization and operation of a marketing system to purchase and resell agricultural commodities grown in Alaska.

Section 7. AS 03.19.060 is repealed and re-enacted as follows:

NON-RECOURSE GRAIN LOANS. The sum of 8 Million Dollars is appropriated from the general fund to the Agriculture Revolving Loan Fund to be kept in a special interest-bearing account and used for a non-recourse farm program as a means for providing for orderly marketing of grain products grown in Alaska. The loan amount shall be made on a per ton basis and shall be in an amount equal to the difference between the current local Federal non-recourse loan level and the current Federal target price for the particular commodity; thereby establishing within Alaska the Federal target price as the effective loan level.

Section 8. AS 03.19.070 is repealed and re-enacted as follows:

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 non-recourse loans to participants; and (3) 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.

Section 9. AS 03.19.080 shall be enacted as follows:

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

over

(b) In the absence of a cooperative agreement with the United States Department of Agriculture the provisions of this chapter shall be carried out by the Alaska Grain Exchange.

Section 10. AS 03.19.090 shall be enacted as follows:

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

Section 11. AS 03.19.100 shall be enacted as follows:

DEFINITIONS. In this chapter "director" means the director of the division of agriculture.

all effective dates will be immediate



Alaska State Legislature

House of Representatives

Committee on Resources

Terry Gardiner, Co-Chairman
Fred F. Zharoff, Co-Chairman
465-3715

Pouch V
State Capitol
Juneau, Alaska 99811

To: House Resource Committee Members
From: Mary Hakala, A.A. to Resource Committee *M.H.*
Date: February 19, 1981
Re: SS HB 49

Following is a possible amendment to SSHB 49 which the committee may wish to consider.

Line 12. Delete \$6,400,000, insert in its place \$6,700,000
Line 16. Delete \$5,700,000, insert in its place \$6,000,000

The latest cost estimate provide to the Senate and House Resources Committees for construction of the grain terminal is \$5.8 million. Given the variability of cost estimates, and the need for adequate funding to ensure the completion of this project by fall of 1981 a \$6.0 million figure may be better. The Senate Resource Committee has amended the Senate version of the bill (SSSB 162) in this manner.

MEMORANDUM

TO: Alaska Agricultural Action Council

FROM: The Alaska Agricultural Action Council Transportation Committee

DATE: February 11, 1981

SUBJECT: Committee's conclusion on location of grain port terminal elevator.

The construction of a grain export terminal at tidewater is of paramount importance to the continued development of Alaska's agriculture. The decision of site location can severely affect the short term economics of our agriculture because of the low volumes of initial development. The committee would like to note that certain technical expertise was not available, particularly in the area of underground geography of various sites and exact influence various sites will have on ocean freight rates. The Alaska Agricultural Action Council may wish to pursue these questions prior to making a formal decision. Based on the best information available, the committee is prepared to offer our recommendation.

The grain port terminal should be constructed at the Port of Anchorage provided that cost of site preparation and facility construction not exceed \$2 million over similar cost at the Port of Seward. This potential cost differential should be estimated as soon as possible by a competent engineering and design firm.

The committee's conclusion is based principally on projected tonnages for 10 years, additional transportation costs to Seward, and the desire to insure the best possible conditions for competition.

Valdez and Whittier were eliminated principally because of the absence of multi-modal transportation corridors which would eliminate all possibility of competition between transportation modes.

POINTS FOR AND AGAINST THE PORT OF ANCHORAGE

For:

1. Anchorage is the closest point to the present and future major production areas of the State. (Delta Junction, Nenana, and Point MacKenzie);
2. A larger service area exists;
3. The conditions surrounding road and rail routes offer a better competitive scenario;
4. Power, at present, is the least expensive in Alaska;

Bob Palmer
Hand Writing

Assuming ship rates into Anch. are equal to Seward.

Campbell export product

- 5. Anchorage has a greater possibility of serving as a distribution point for the agricultural industry in southcentral;
- ? 6. A complete port management system is in place.

Against:

- 1. There may be access problems to the dock due to icing, siltation and tidal variation;
- ✓ 2. Location of a grain terminal in a major population center may cause environmental concerns;
- 3. Depending on site location, construction costs in Anchorage may exceed those in Seward;
- ✓ 4. The Port of Anchorage offers limited possibilities for expansion.

Seward rental fee for the site.

POINTS FOR AND AGAINST THE PORT OF SEWARD

- 1. The Port of Seward would appear to be a better port facility for major shipping;
- 2. Seward has a low population density which may not raise environmental concerns;
- 3. The Port of Seward has a good area for expansion;
- 4. The construction cost may be lower in Seward specifically for site preparation and due to a location in closer proximity to the water.

Against:

- 1. There is a \$2/ton minimum cost differential favoring Anchorage over Seward;
- ? 2. There is a longer turn-around-time for railcars in Seward;
- ? 3. The road conditions and distance to Seward are not favorable for competition between transportation modes;
- ? 4. There is no tugboat available in Seward;
- ? 5. Seward offers a smaller service area;
- ? 6. There is a greater possibility of road and rail closure due to avalanche into Seward than there is into Anchorage.

Sincerely,

Robert C. Pollock - Chairman
Export/Transportation Committee

Lyle W. Carlson

Carol E. Lewis

Ronald S. Walt *Trans. Trade Specialist*

William R. Wood

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