FOLDER NO.

420.8
Hon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its re-draft of the Article on Natural Resources for consideration by the Convention.

Respectfully submitted,

George Sundborg, Chairman
R. Rolland Armstrong
Edward V. Davis
Victor Fischer
Hildred R. Hermann
James J. Hurley
Maurice T. Johnson
George K. McLaughlin
Katherine D. Nordale
CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following be agreed upon as part of the Alaska State Constitution:

ARTICLE VIII

NATURAL RESOURCES

<table>
<thead>
<tr>
<th>Statement of Policy</th>
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Style and Drafting/Article VIII
Section 5. The legislature may provide for facilities, improvements and services to assure greater utilization, development, reclamation and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife and waters.

Section 6. Lands and interests therein, including submerged and tidal lands, possessed or acquired by the State, and not used or intended exclusively for governmental purposes, constitute the state public domain. The legislature shall provide for the selection of lands granted to the State by the United States, and for the administration of the state public domain.

Section 7. The legislature may provide for the acquisition of sites, objects and areas of natural beauty or of historic, cultural, recreational or scientific value. It may reserve them from the public domain and provide for their administration and preservation for the use, enjoyment and welfare of the people.

Section 8. The legislature may provide for the leasing of and the issuance of exploration permits for any part of the public domain or interest therein, subject to reasonable concurrent uses. Leases and permits shall provide, among other conditions, for payment by the party at fault for damage or injury arising from non-compliance with terms governing concurrent use and for
Sales and Grants

Section 9. Subject to the provisions of this section, the legislature may provide for the sale or grant of state lands, or interests therein, and establish sales procedures. All sales or grants shall contain reservations to the State of all resources as may be required by Congress or the State and shall provide for access to these resources. Reservation of access shall not impair the owners' use, prevent the control of trespass, nor preclude compensation for damage.

Public Notice

Section 10. No disposals or leases of state lands, or interests therein, shall be made without prior public notice and other safeguards of the public interest as may be prescribed by law.

Mineral Rights

Section 11. Discovery and appropriation shall be the basis for establishing a right in those minerals reserved to the State which, upon the date of ratification of this constitution by the people of Alaska, were subject to location under the federal mining laws. Prior discovery, location and filing, as prescribed by law, shall establish a prior right to these minerals and also a prior right to permits, transferable licenses, and leases for their extraction. Continuation of these rights shall depend upon the performance of annual labor, the payment of fees, rents or royalties, or upon other
Leases and Permits

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1 requirements as may be prescribed by law. Surface uses of land by a mineral claimant shall be limited to those necessary for the extraction and basic processing of the mineral deposits. The granting of deeds or patents to mineral lands may be authorized by the State unless prohibited by Congress. The provisions of this section shall apply to all other minerals reserved to the State which by law are declared subject to appropriation.

Section 12. The legislature shall provide for the issuance, types and terms of leases for coal, oil, gas, oil shale, sodium, phosphate, potash, sulfur, pumice and other minerals as may be prescribed by law. Leases and permits giving the exclusive right of exploration for these minerals for specific periods and areas, subject to reasonable concurrent exploration as to different classes of minerals, may be authorized by law. Like leases and permits giving the exclusive right of prospecting by geophysical, geochemical and similar methods for all minerals may also be authorized by law.

Section 13. All surface and subsurface waters reserved to the people for common use, except mineral and medicinal waters, are subject to appropriation. Priority of appropriation shall give prior right. Except for public water supply, an appropriation of water shall be limited to stated purposes and subject to preferences.
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Section 19. The enumeration of specified powers shall not be construed as limitations on other implied powers of the State in relation to the utilization, development and conservation of natural resources, except as specifically provided in this article.

Section 20. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, included in the Territory of Alaska upon the date of ratification of this constitution by the people of Alaska.
AMENDMENT TO (COMMITTEE) PROPOSAL NO. 8/a (Article VIII)

MR. PRESIDENT:

I move that (Committee) Proposal No. 8/a(VIII) amended as follows:

Page 2, line 15, change second word "of" to "or", line 7, same page, strike word "the".

Line 22, page 3, following the word "permits", insert "leases and" and strike "and leases" later in the line.

Lines 3 and 4 - on line 3, strike "and" and insert "or"; on line 4, strike the period and insert a comma and add "or for both".

Section 14, line 4, delete "law" and insert "the legislature".

Section 3, line 10, strike the comma after "wildlife".

Page 3, line 8, Section 9, insert "unnecessarily" between "in" and "impair".

Page 6, line 1, insert "resultant" before "damages".
ALASKA CONSTITUTIONAL CONVENTION

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

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