

Testimony of
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Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forest and Mining

Hearing on S. 2615
Alaska Native Village Municipal Lands Restoration Act of 2023
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Making lands available for Alaskans to develop has been a priority of Governor Dunleavy's throughout his administration. The Commissioner of Commerce, Community and Economic Development is the trustee for the Municipal Lands Trust (MLT) a land trust established under the federal legislation that created the Alaska Native Claims Settlement Act (ANCSA). The MLT has in trust approximately 11,550 acres that is nearly impossible to transfer into private hands.

This blocks the lands from development, and under the current trust arrangement in ANCSA, is expected to continue to do so into perpetuity unless the trust responsibilities and mission are eliminated in federal statute.

The Alaska Native Claims Settlement Act (ANCSA) requires conveyance of certain lands by village corporations to municipalities or to the State in trust for future municipalities. The Department has administered this program for nearly 50-years and there have been only 8 ANCSA villages that have formed a new municipality, the last in 1995.

This legislation will put land in the hands of Alaskans who can use it for housing, economic development, and other ways to improve their communities.

The department has identified the following additional provisions that it believes would improve the bill and allow the full transfer of MLT lands and protect the State:

- Make reversion of the lands to the village corporation subject to all valid and existing rights created by the trust.
- Ensure that lands reverted to the village corporation are "where-is" and "as-is" with no warranty or covenants from the State.
- All previously disposed of land by the State pursuant to its regulations should be deemed lawful and approved.
- The State should be released from all liability in its role as trustee.