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1 IN THE HOUSE

2 HOUSE BILL NO. 176

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act granting lands to the University of  
7 Alaska; vesting certain powers in the Board  
8 of Regents of the University of Alaska;  
9 authorizing the sale and leasing of lands;  
10 providing for the investment and disburse-  
11 ment of certain monies; and providing for  
12 an effective date."

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

14 Section 1. DECLARATION OF INTENT. It is the intent of the  
15 Legislature to grant to the University of Alaska five million  
16 acres of lands, to be selected, managed and disposed of under  
17 the authority of the Board of Regents for the University, under  
18 certain conditions and limitations imposed herein. This grant  
19 of lands shall be for the purpose of replacing those grants pre-  
20 viously allowed under federal law, (Public Law 331, Sixty-third  
21 Congress, III Section) which law has been superseded (Public Law  
22 508, Eighty-fifth Congress, II Session, an Act providing for the  
23 admission of the State of Alaska into the Union); and for the  
24 further purpose of establishing a means by which the University  
25 may be properly maintained and operated and direct state support  
26 thereby reduced.

27 Sec. 2. LAND GRANT. The University of Alaska is hereby  
28 granted and is entitled to select, accept or secure by July 7,  
29 1983, from those lands granted the state by the federal

1 government under Public Law 85-503, not to exceed one million  
2 acres from the public lands of the United States in Alaska which  
3 are vacant, unappropriated and unreserved at the time of their  
4 selection; provided, that nothing herein contained shall affect  
5 any valid existing claim, location, or entry under the laws of  
6 the United States or the State of Alaska, whether for homestead,  
7 universal, right-of-way, or other purpose whatever, or the rights  
8 of any owner, claimant, locator, or entryman to the full use and  
9 enjoyment of the land so occupied.

10 Sec. 3. POWERS. (1) The Board of Regents of the Univer-  
11 sity of Alaska, hereafter called the "Board," is charged with  
12 the selection, management and disposal of all lands over which  
13 they may subsequently have jurisdiction.

14 (2) The Board may establish reasonable procedures and  
15 make and promulgate reasonable rules and regulations necessary  
16 to carry out the provisions of this Act, and may whenever  
17 necessary, issue directives or orders or delegate duties and  
18 powers to the President of the University to carry out specific  
19 functions and duties. All rules and regulations promulgated by  
20 the Board shall be filed with the Office of the Governor or as  
21 may be otherwise provided by law, before such rules or regula-  
22 tions shall become effective.

23 (3) The Board may select and employ or obtain at  
24 reasonable compensation cadastral, appraisal, or other profess-  
25 ional personnel it deems are necessary.

26 (4) The Board, for purposes of selecting lands granted  
27 under this Act may be the applying or certifying agency, or both,  
28 and take any necessary action in the name of the State of Alaska  
29 to select, accept or secure any such lands, or any title or

1 interest thereto, made available by the United States Government;  
2 provided, however, if the United States Government, through any  
3 of its departments, agencies or officers demands otherwise.

4 The Board may request the appropriate state agency to act on  
5 its behalf, which agency shall readily lend all assistance and  
6 take such action as may be necessary to select, accept or secure  
7 the lands requested and designated by the Board.

8 (5) A majority of the Board shall approve all con-  
9 tracts respecting the sale, lease, or other disposal of avail-  
10 able lands, resources, property or any interests therein, and  
11 in addition to the conditions and limitations imposed by this  
12 Act, it may impose any additional conditions or limitations in  
13 such contracts as it determines will best serve the interests of  
14 Alaska and the University. No contract respecting the sale,  
15 lease, or other disposal of available lands shall be legally  
16 binding on the University until a majority of the Board has  
17 formally recorded its approval in the minutes of a Board meeting.  
18 This subsection shall not apply to the various exceptions set  
19 forth in this Act.

20 (6) The Board shall have the authority to review any  
21 order or action of the President under this Act other than the  
22 execution of sale, lease or disposal contracts executed under  
23 the express authority or directive of the Board.

24 (7) The Board may exercise all those powers and do all  
25 those acts necessary to carry out the provisions of this Act.

26 Sec. 4. PRESIDENT SHALL BE BONDED. The President, prior  
27 to entering upon the performance of any duties authorized here-  
28 under, shall execute a corporate surety bond in favor of the  
29 state and the University of Alaska in the sum of \$100,000

1 conditioned, among other things, upon the faithful performance  
2 of his duties and those of any of the personnel of the University  
3 delegated with authority under this Act and upon the prompt and  
4 faithful accounting of all monies collected by the President or  
5 his assistants, employees or agents. The premium upon said  
6 bond shall be payable from such monies as may be appropriated  
7 for operation of the University.

8 Sec. 5. LIMITATION. The Board shall not accept or certify  
9 over to the University more than 500,000 acres of land in any one  
10 calendar year; Provided, however, nothing herein shall prevent  
11 the Board from applying for on selecting lands in excess of  
12 500,000 acres in any one year.

13 Sec. 6. The sale or lease of any lands granted under this  
14 Act shall be in substantial conformity with the procedure and  
15 requirements of Chapter 184 SLA 1957, as amended; Provided,  
16 however, the Board of Regents shall exercise for the purpose of  
17 this Act, all those powers vested in the Alaska Land Board, in-  
18 cluding, but not limited to, the approval, modification or  
19 rejection of a land classification use plan, the lease, sale or  
20 other disposal of any University lands to any Alaska or federal  
21 agency, political subdivision or nonprofit organization for less  
22 than the appraised value; the granting of certain preference  
23 rights and the authorization of operating, drilling or develop-  
24 ment contracts. The Board of Regents shall cooperate and act  
25 in close liaison, on all matters pertaining to lands, with the  
26 Department of Lands and the governing Board thereof or the  
27 successor agency thereof.

28 Sec. 7. EFFECTIVE DATE. This Act shall take place imme-  
29 diately upon its passage and approval or upon its becoming law

1 without such approval.

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