

1 IN THE SENATE

BY SENATOR SMITH

2 SENATE BILL NO. 97

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to jurisdiction and owner-  
7 ship of offshore waters and lands lying  
8 thereunder."

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

10 Section 1. The jurisdiction of this State shall extend to  
11 and over, and be exercisable with respect to, waters offshore from  
12 the coasts of this State as follows:

13 (1) The marginal sea to its outermost limits as said  
14 limits may from time to time be defined or recognized by the  
15 United States of America by international treaty or otherwise.

16 (2) The high seas to whatever extent jurisdiction there-  
17 in may be claimed by the United States of America, or to whatever  
18 extent may be recognized by the usages and customs of inter-  
19 national law or by any agreement, international or otherwise, to  
20 which the United States of America or this State may be party.

21 (3) All submerged lands, including the subsurface there-  
22 of, lying under said aforementioned waters.

23 Sec. 2. The ownership of the waters and submerged lands  
24 enumerated or described in Section 1 of this act shall be in this  
25 State unless it shall be, with respect to any given parcel or  
26 area, in any other person or entity by virtue of a valid and  
27 effective instrument of conveyance or by operation of law.

28 Sec. 3. Nothing contained herein shall be construed to limit  
29 or restrict in any way:

SB #97 Engrossed  
As amended in the House

1 (1) The jurisdiction of this State over any person or  
2 with respect to any subject within or without the State which  
3 jurisdiction is exercisable by reason of citizenship, residence  
4 or for any other reason recognized by law.

5 (2) Jurisdiction or ownership of or over any other  
6 waters or lands thereunder, within or forming part of the  
7 boundaries of this State. Nor shall anything herein be construed  
8 to impair the exercise of legislative jurisdiction by the United  
9 States of America over any area to which such jurisdiction has  
10 been validly ceded by this State and which remains in the owner-  
11 ship of the United States of America.

12 Sec. 4. Nothing in this act shall alter the geographic area  
13 to which any statute of this State applies if such statute  
14 specifies such area precisely in miles or by some other numerical  
15 designation of distance or position. However, nothing in any  
16 such statute or in this act shall be construed as a waiver or  
17 relinquishment of jurisdiction or ownership by this State over or  
18 in any area to which such jurisdiction or ownership extends by  
19 virtue of this act or any other provision or rule of law.

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