

Introduced; 4/3/63  
Referred: Rules

BY SENATORS KILCHER, SMITH,  
HANSEN, BRONSON, WALSH, BEGICH,  
HARRISON, MCNEALY AND HALL

1 IN THE SENATE

2 SENATE RESOLUTION NO. 61

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 Relating to the safeguarding of  
6 homesteader rights through the  
7 establishment of an independent  
8 Board of Public Lands Appeals.

9 BE IT RESOLVED BY THE SENATE:

10 WHEREAS, there exists no effective right to appeal decisions  
11 by the Bureau of Land Management and the Geological Survey con-  
12 cerning the uses of or claims to public lands under the jurisdic-  
13 tion of the Department of the Interior; and

14 WHEREAS, the lack of such an effective right of appeal adverse-  
15 ly affects many actual and potential public land users in Alaska;  
16 and

17 WHEREAS, the lack of such an effective right of appeal  
18 thwarts the carrying out of the Acts of Congress governing the  
19 uses of the public lands; and

20 WHEREAS, this lack of an effective right to appeal has exist-  
21 ed for too many years and should be promptly remedied; and

22 WHEREAS, a bill to correct these inequities has been intro-  
23 duced in the Senate of the United States by Alaska's Senators,  
24 the Honorable Ernest Gruening and the Honorable E. L. Bartlett,  
25 and other Senators; and

26 WHEREAS, this corrective legislation would establish a Board  
27 of Public Lands Appeals to hear locally appeals from decisions by  
28 the Bureau of Land Management and the Geological Survey concerning  
29 the uses or claims to public lands; and

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1           WHEREAS, untold numbers of homesteaders in Alaska, in making  
2 original application for land patents, have been advised of the  
3 alleged proper procedure to follow by representatives of the  
4 Bureau of Land Management only to discover at a later date that  
5 such procedure was not proper and that as a result their patent  
6 application is invalid; and

7           WHEREAS, such careless actions have caused homesteaders in  
8 Alaska to experience undue hardships and mental anguish; and

9           WHEREAS, such hardships have cost said homesteaders wasted  
10 hours of labor and wasted expenditures of money; and

11           WHEREAS, such action by a federal agency is intolerable, un-  
12 necessary, and inexcusable; and

13           WHEREAS, such irresponsible actions point up the long overdue  
14 need for corrective measures;

15           BE IT RESOLVED that the Senate supports legislation establish-  
16 ing a Board of Public Lands Appeals established as an independent  
17 agency outside the jurisdiction of the Department of the Interior  
18 to hear appeals from decisions rendered by the Bureau of Land  
19 Management and the Geological Survey concerning the uses or claims  
20 to public lands under the jurisdiction of the Department of the  
21 Interior; and be it

22           FURTHER RESOLVED that copies of this resolution be sent to  
23 the President of the United States, the Department of the Interior,  
24 the President of the United States Senate, the Speaker of the  
25 United States House of Representatives, and the members of the  
26 Alaska Congressional delegation.  
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