

Original Sponsor: Rules Committee  
by request of the Governor

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 672

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to provide for state contribution and action  
7 to encourage and facilitate final settlement of Alaska  
8 native land claims by the federal government; and  
9 providing for an effective date."

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

11 \* Section 1. DECLARATION OF INTENT. It is the policy of the State of  
12 Alaska to join with the federal government in a legislative effort to provide  
13 a fair, speedy and equitable method for the settlement and satisfaction of  
14 the Alaska native land claims. It is the position of the state that in ac-  
15 complishing this purpose it is in the public interest to minimize procedural  
16 delays, remove technical obstacles, to create a public body composed of resi-  
17 dents of Alaska with power to process, determine, and expedite the claims  
18 and to perform other functions to carry out the provisions of this Act. In  
19 order to facilitate and encourage a fair settlement of these land claims be-  
20 tween the Alaska natives and the federal government, it is considered in the  
21 best interest of the state to make a reasonable contribution to the settle-  
22 ment on the part of the state, by providing that certain royalties or shares  
23 of the proceeds derived from state lands be made available to native groups  
24 in Alaska as compensation for relinquishment of part of their claims based  
25 on aboriginal use and occupancy of lands in Alaska, and thereby to settle  
26 with finality all such land claims of Alaska natives insofar as the State of  
27 Alaska is concerned.

28 \* Sec. 2. AS 38 is amended by adding a new chapter to read:

29 CHAPTER 30. ALASKA NATIVE CLAIMS STATE SETTLEMENT ACT OF 1968.

CSHB 672 (Finance)

1                   ARTICLE 1. ALASKA NATIVE COMMISSION.

2                   Sec. 38.30.010. ACCEPTANCE OF FEDERAL COMMISSION. (a) If  
3 legislation is enacted by the United States before April 15, 1969,  
4 whereby a commission is created substantially like, and capable of per-  
5 forming the functions of, the Alaska Native Commission set out in this  
6 chapter, the state does hereby designate and constitute the commission  
7 as the agency for carrying out the Alaska Native Commission purposes and  
8 functions set out in this chapter.

9                   (b) Upon the enactment before April 15, 1969, of federal legisla-  
10 tion creating such a commission, the governor shall determine whether it  
11 is substantially like, and capable of performing the functions of, the  
12 commission as set out in this chapter. If the governor determines in  
13 the affirmative, he shall certify and make public his determination,  
14 whereupon the federally created commission shall become the agency to  
15 perform the functions set out in this chapter, and the commission pro-  
16 vided for in secs. 30 - 130 of this chapter shall not come into  
17 existence. If the governor determines in the negative, secs. 30 - 130  
18 of this chapter become operable immediately.

19                   (c) If no legislation has been enacted by Congress by April 15,  
20 1969, creating a commission to act in the matter of Alaska native land  
21 claims, secs. 30 - 130 of this chapter become operable immediately.

22                   Sec. 38.30.020. CRITERIA FOR DETERMINING ACCEPTABILITY OF  
23 FEDERAL COMMISSION. In making the determination under sec. 10 of this  
24 chapter the governor shall be guided by the following minimum standards  
25 of acceptability of a federal commission to discharge the functions set  
26 out in this chapter:

27                   (1) it must provide that the State of Alaska may vest powers  
28 in the commission provided by this chapter, except that any additional  
29 powers vested in the commission after the effective date of this chapter

1 shall be subject to approval of Congress;

2 (2) it must provide for staggered terms of office;

3 (3) it must provide that at least a majority of its members  
4 be Alaska natives as defined in this chapter;

5 (4) the Alaska residence requirements for members of the  
6 commission must be substantially the same as those prescribed in sec.  
7 30 of this chapter;

8 (5) the scope of judicial review of actions and final  
9 determinations of the commission must be at least as ample as that set  
10 out in sec. 130 of this chapter;

11 (6) it must be empowered to make final determinations of  
12 the matters committed to it by this chapter, where this chapter  
13 requires final determinations.

14 Sec. 38.30.030. CREATION OF STATE COMMISSION. There is created  
15 in the office of the governor an Alaska Native Commission to exercise  
16 the duties and powers conferred upon it by this chapter. The commission  
17 shall be considered as the head of a regulatory and quasi-judicial agency  
18 of the state. The commission consists of seven members, appointed by  
19 the governor and confirmed by a majority of the members of the legisla-  
20 ture in joint session. At least four members shall be Alaska natives  
21 as defined in this chapter. Each member of the commission shall have  
22 been a resident of Alaska continuously for at least five years before  
23 his appointment and must remain a resident during his term of office.  
24 In appointing members of the commission due regard shall be given to  
24 obtaining fair geographic and ethnic representation.

26 Sec. 38.30.040. TERMS OF OFFICE. The members initially appointed  
27 by the governor shall be given terms of office of one, two, three, four,  
28 five, six and seven years respectively, the terms to commence upon the  
29 day the sections of this chapter concerning an Alaska Native Commission

1 become operable. Their successors shall be appointed for terms of  
2 seven years by the governor in the same manner and subject to the  
3 same qualifications as the initial appointments, except that a person  
4 chosen to fill a vacancy shall be appointed only for the unexpired  
5 term of the member whom he succeeds. Upon the expiration of his term  
6 of office a member shall continue to serve until his successor has  
7 been appointed and is qualified to take office. The members of the  
8 commission shall choose a chairman from the commission's membership.  
9 Any commissioner may be removed by the governor for inefficiency,  
10 neglect of duty, malfeasance in office, or engaging in conduct which  
11 violates any conflict of interest laws of the state, and such removal  
12 and determination by the governor is not subject to judicial review.

13 Sec. 38.30.050. COMPENSATION. The commissioners shall be paid  
14 compensation in the sum of \$35 for each day in which they are engaged  
15 in the performance of their official duties. They shall also be re-  
16 imbursement for expenses which have been authorized by the commission.

17 Sec. 38.30.060. NOMINATIONS. Any organization recognized by the  
18 Secretary of the Interior (or if there be none recognized by him, by  
19 the governor) to speak for the Alaska natives on a statewide basis  
20 and the statewide native corporation shall each be given the oppor-  
21 tunity to recommend prospective appointees to the commission, but the  
22 governor is not limited by the recommendations in his exercise of  
23 appointive power.

24 Sec. 38.30.070. LOCATION. The commission shall have its offices  
25 and hold its meetings in the state at a place to be determined by the  
26 commission.

27 Sec. 38.30.080. EMPLOYEES AND COMPENSATION. (a) The commission  
28 may employ an executive director with the concurrence of the governor.  
29 The executive director position shall be in the partially exempt

1 service and the salary shall be as specified in AS 39.27. The com-  
2 mission may employ other personnel and may incur any expenses it deems  
3 necessary in the performance of its duties subject to available ap-  
4 propriations. All the personnel hired by the commission shall be in  
5 the partially exempt service and their salaries shall be as specified  
6 in AS 39.27.

7 (b) The transactions of the commission shall be subject to pre-  
8 audit and post audit.

9 Sec. 38.30.090. PROCEDURE. The commission shall have power to  
10 establish its own rules of procedure, and the time and place of its  
11 meetings. The commission shall not be subject to the Alaska Adminis-  
12 trative Procedure Act (AS 44.62) as to functions of an adjudicatory  
13 nature. A quorum consists of four members.

14 Sec. 38.30.100. JURISDICTION AND POWERS. (a) The commission  
15 shall carry out the functions delegated it by this chapter and may  
16 also accept and carry out the functions delegated to it by the  
17 Secretary of the Interior, such as the preparation of official rolls  
18 of native groups, if the acceptance of the latter delegated functions  
19 do not increase the expense of commission operations which would  
20 otherwise be entailed under the appropriations made by the legislature.

21 (b) The functions of the commission may include, but are not  
22 limited to

23 (1) determination, if authorized by federal law, of the  
24 aboriginal use and occupancy of Alaska lands by native groups, the  
25 geographical extent thereof, and the boundaries of occupancy attaching  
26 to villages and regions;

27 (2) determination of the number and location of the groups  
28 to be recognized officially by the commission;

29 (3) preparation of an official roster of groups of natives

1 eligible to receive the benefits granted by this chapter and by the  
2 laws of Alaska;

3 (4) investigation of all matters which are the proper  
4 subjects of its action, with the power to call upon any of the  
5 departments of the state government for information it considers  
6 necessary to perform its duties and functions;

7 (5) the exercise of any power necessary to carry out the  
8 purposes of this chapter; and

9 (6) the exercise of any other powers which may be provided  
10 by state or federal law.

11 (c) The commission shall give reasonable notice to the interested  
12 parties before it and an opportunity to be heard before making a final  
13 determination on any disputed matter.

14 Sec. 38.30.110. TESTIMONY OF WITNESSES. A member or employee  
15 of the commission, designated in writing by the chairman for that  
16 purpose, may administer oaths and examine witnesses. The chairman of  
17 the commission, or in his absence, the vice chairman, may in the same  
18 manner as a party to litigation, but without costs, apply to the  
19 superior court for issuance of subpoenas requiring (1) the attendance  
20 and testimony of witnesses and the production of all necessary books,  
21 papers, documents, correspondence, and any other evidence from any  
22 place in the state at any designated place of hearing within Alaska,  
23 or (2) the taking of depositions before a designated individual who  
24 is authorized to administer oaths under the laws of Alaska or any  
25 other state. In taking testimony, opportunity is to be given for  
26 attendance and examination of the witness by any party who might be  
27 adversely affected by the commission's actions.

28 Sec. 38.30.120. FINAL DETERMINATIONS. The final determinations  
29 of the commission in any matter which is disputed before it and in any

1 matter which will be irrevocably binding upon the persons affected,  
2 shall be in writing, filed with the commission, and shall set forth  
3 the operative facts upon which its determination is based, the reasons  
4 in support of its determination, and a definite statement of the  
5 determination that is made by the commission.

6 Sec. 38.30.130. JUDICIAL REVIEW. (a) The actions and final  
7 determinations of the commission may be reviewed at the instance of a  
8 person adversely affected by commission actions or determinations, by  
9 a petition for review filed in the superior court. In considering  
10 a petition for review the court shall be limited to considering and  
11 deciding only the following questions:

12 (1) whether any specific provision of this chapter, the  
13 Constitution of the United States, or the Constitution of the State of  
14 Alaska has been violated;

15 (2) whether the commission acted capriciously or arbi-  
16 trarily;

17 (3) whether there is information, published or written  
18 material, evidence, or other data within the record to sustain the  
19 findings, recommendations, decisions, or actions of the commission  
20 as being reasonable;

21 (4) whether the commission acted within the powers granted  
22 it under this chapter.

23 (b) The court may remand the matter reviewed for further pro-  
24 ceedings as are required under this chapter and may grant other  
25 appropriate judicial relief.

26 ARTICLE 2. ROYALTY.

27 Sec. 38.30.140. RIGHT TO PROCEEDS. (a) If the present land  
28 freeze imposed by the United States Department of the Interior is  
29 unconditionally removed and terminated on or before October 10, 1968,

1 the natives of Alaska are hereby granted the right to a royalty and  
2 share equal to five percent of the proceeds made subject to this  
3 chapter under sec. 160 hereof, until the amount received from the  
4 state in accordance with sec. 180 of this chapter totals \$50,000,000.

5 (b) In the event the land freeze is removed in accordance with  
6 (a) of this section but is subsequently reimposed, the Alaska natives'  
7 right to proceeds under (a) of this section shall terminate.

8 (c) The phrase "land freeze" as used in this section means (1)  
9 the failure or refusal on the part of the United States Department of  
10 the Interior to dispose of public lands in Alaska under the Public Land  
11 Laws of the United States, including without limitation the Alaska  
12 Statehood Act (72 Stat. 339), because of the pendency of native land  
13 claims or protests; or (2) any temporary withdrawal by the United  
14 States Department of the Interior of any public lands in Alaska re-  
15 tained in effect, or made after the effective date of this chapter,  
16 because of the pendency of native land claims.

17 Sec. 38.30.150. PROPERTY INTEREST. Except as provided in secs.  
18 140 - 160 and secs. 170(b), and (f) and 340 of this chapter, the royalty  
19 or share of proceeds granted in this chapter is an irrevocable grant,  
20 and the right of Alaska natives to the same vests on the day this  
21 chapter becomes law, subject to their acceptance in accordance with  
22 sec. 340 of this chapter.

23 Sec. 38.30.160. ROYALTY SOURCES. The proceeds subject to this  
24 chapter are all monetary revenues, other than taxes and receipts from  
25 licenses, received by the state, after the effective date of this  
26 chapter, from the sale, lease, exchange, or other disposal of lands  
27 which are or have been selected by the state under sec. 6(a) and (b)  
28 of the Alaska Statehood Act (72 Stat. 339), as amended except those  
29 lands which are or have been under state lease or contract on or before

1 the effective date of this chapter.

2 Sec. 38.30.170. DISTRIBUTION OF PROCEEDS. (a) The royalty or  
3 share of proceeds granted under sec. 140 of this chapter shall be  
4 distributed to three classes of recipients: (1) 75 per cent to  
5 incorporated native groups; (2) 20 per cent to regional native corpora-  
6 tions; and (3) five per cent to the statewide native corporation.

7 (b) Fifty per cent of the total proceeds distributed under  
8 (a) of this section to each native corporation shall be used for  
9 construction and maintenance of public works projects.

10 (c) The apportionment of the royalty shall be based upon the  
11 number of persons on the final rolls and distribution shall be made  
12 under rules and regulations adopted by the commission.

13 (d) A copy of an annual report of all expenditures of funds  
14 granted under this chapter made by recipients under (a) of this  
15 section shall be submitted annually to the office of the governor.

16 (e) The money apportioned to each corporation shall be used in  
17 accordance with the annual budgets prepared by the corporation, sub-  
18 mitted to and not disapproved by the commission.

19 (f) If in the judgment of the commission, a court of competent  
20 jurisdiction or the legislative audit committee the proceeds distri-  
21 buted to a recipient under this chapter are not used in the manner  
22 prescribed in (b) of this section, there shall be withheld from the  
23 next annual appropriation of royalties owing the recipient under this  
24 chapter a sum equal to the amount improperly spent. The amount so  
25 withheld shall be distributed to the recipient only upon certification  
26 by the legislative audit committee to the legislature that the ratio  
27 of expenditures required under (b) of this section has been adjusted by  
28 the non-complying recipient native corporation in such a manner that  
29 the corporation is now in compliance with (b) of this section. When

1 the amount which would have been received from the state under secs.  
2 140 and 180 of this chapter equals \$50,000,000 except for the provi-  
3 sions of this subsection, the amount being withheld by the state shall  
4 be considered forfeited by the noncomplying native corporation and shall  
5 revert to the state's general fund.

6 Sec. 38.30.180. TRUST AND ADVANCE ROYALTY. (a) The royalty and  
7 share of proceeds to which a recipient corporation is entitled under  
8 secs. 140 - 170 of this chapter shall be received and held in trust by  
9 the state. After the final rolls have been completed and the apportion-  
10 ment of each recipient corporation determined, the legislature shall  
11 annually appropriate to the designated recipients the royalty and share  
12 of proceeds held in trust by the state.

13 (b) Commencing in fiscal 1968 - 1969, if the amount accumulated  
14 in trust each fiscal year does not equal at least \$500,000, the  
15 difference between the amount accumulated and the sum of \$500,000 shall  
16 be appropriated out of the general fund as an advance on the royalty  
17 payments and shall be payable on July 1 of the second succeeding fiscal  
18 year. If any sums are advanced out of the general fund in accordance  
19 with this subsection, the amount of the funds advanced shall be repaid  
20 the state by transferring to the general fund one-half of any excess  
21 over \$500,000 that may be accumulated in trust during any subsequent  
22 fiscal year until such advances have been repaid in full.

23 ARTICLE 3. INCORPORATION OF NATIVE GROUPS.

24 Sec. 38.30.190. CERTIFICATE OF INCORPORATION. Under rules and  
25 regulations which the Alaska Native Commission may prescribe, each  
26 native group, regional native corporation, and the statewide native  
27 corporation entitled to benefits under this chapter or the Federal  
28 Alaska Native Claims Act of 1968 shall incorporate under the Alaska  
29 Business Corporation Act, as modified by this chapter and said rules

1 and regulations, except those native groups which elect to incorporate  
2 or remain incorporated under the Indian Reorganization Act. Until 100  
3 years after the effective date of this chapter the articles of incorpo-  
4 ration and all amendments shall be subject to the approval of the com-  
5 mission.

6 Sec. 38.30.200. MEMBERSHIP AND STOCK. (a) All natives enrolled  
7 on the rolls of the native group incorporated or to be incorporated  
8 under the Federal Alaska Native Claims Act of 1968 shall be the initial  
9 members and shareholders of the incorporated native group. Each  
10 membership shall be represented by 100 shares of the capital stock of  
11 the corporation, of no par value, which shall be issued to each member.

12 (b) Shares of stock shall be inalienable from the first holder  
13 of the shares, by operation of law or otherwise, except upon his death  
14 when the shares shall pass by devise or inheritance free of any claims  
15 against the estate. When ownership of shares passes by devise or  
16 inheritance, such shares shall be partitioned, so far as may be  
17 practicable, in whole shares among those entitled to them. The  
18 corporation shall retire by purchase any shares in which fractional  
19 interests valued at less than \$100 exist.

20 (c) The second holder of shares of stock must be, or be descended  
21 from at least, one of the first members of any native group incorpo-  
22 rated under sec. 190 until 50 years after the effective date of this  
23 chapter. Thereafter, the stock shall be freely alienable, provided  
24 that the corporation may adopt any provision restricting stock  
25 ownership permitted ordinary business corporations.

26 (d) A person not entitled to hold stock may lawfully acquire  
27 stock by devise or inheritance, in which event the corporation shall  
28 purchase the stock at its fair value.

29 Sec. 38.30.210. VOTING RIGHTS. All shares shall carry voting

1 rights and cumulative voting is required. Stock held by a minor may  
2 be voted by his parent or guardian.

3 Sec. 38.30.220. PURPOSE. (a) The corporations may carry on any  
4 lawful business permitted by the Alaska Business Corporation Act in  
5 Alaska, and, with the consent of the commission, outside of Alaska.  
6 All investments in securities shall be in accordance with an invest-  
7 ment program which makes provisions for skilled investment counsel.

8 (b) To the extent permitted by its articles and bylaws, the  
9 corporation may make distributions from earned surplus or capital as  
10 gifts, grants or loans to shareholders, descendants of the first  
11 holders of the shares of the corporation and to persons of at least  
12 one-sixteenth native blood who would have been eligible for membership  
13 as a first holder but for the lack of sufficient blood quantum and who  
14 are enrolled by the corporation upon a special roll, provided that no  
15 gifts or grants shall be made after 50 years from the effective date  
16 of this chapter. The corporation may at any time make charitable and  
17 educational donations as allowed by the Alaska Business Corporation Act.

18 (c) The regional corporations may make distributions from earned  
19 surplus or capital as grants or loans to native group corporations of  
20 the region of such regional corporation and to municipal corporations  
21 and native villages within the region.

22 (d) The statewide corporation may make distributions from earned  
23 surplus or capital as grants or loans to regional corporations or  
24 native group corporations.

25 Sec. 38.30.230. CAPITAL. The capital of the corporation shall  
26 consist of the land conveyed to the corporation by the United States  
27 under the Federal Alaska Native Claims Act of 1968, entered at its fair  
28 market value upon receiving the conveyance therefore, the money received  
29 under the Act, and the money received from the royalty and share in

1 revenues granted by this chapter.

2 Sec. 38.30.240. CORPORATION NOT A GOVERNMENT INSTRUMENTALITY. A  
3 corporation organized under this chapter shall not be an agency or  
4 instrumentality of the State of Alaska or of the United States for any  
5 purpose, and the state and the United States shall not be responsible  
6 for the corporation's actions or debts unless specifically guaranteed  
7 or insured.

8 Sec. 38.30.250. RESIDENCE RESTRICTIONS. Residence shall not be  
9 restricted, and residence or proposed residence shall not be made a  
10 restriction on membership or shareholding, voting of shares, or  
11 receipt of benefits from the corporation, provided that distribution  
12 of land in kind for townsite lots, fish camp sites, or other aboriginal  
13 use may be limited to residents, but continued residence shall not be  
14 made a condition of any such distribution of land in kind.

15 Sec. 38.30.260. PROHIBITION ON PER CAPITA DISTRIBUTIONS. The  
16 corporation shall not make any per capita distribution, except as  
17 permitted by secs. 220(b) and 270 of this chapter. The corporation  
18 may declare and pay dividends as any other business corporation.  
19 Distributions in partial liquidation or liquidation may be made after  
20 100 years after the effective date of this chapter.

21 Sec. 38.30.270. LIMITS ON DISTRIBUTIONS. Distributions under  
22 sec. 220(b) of this chapter are subject to the following provisions:

23 (1) eligibility of persons for distributions shall be  
24 established by the articles of incorporation;

25 (2) eligible persons may make applications for gifts, grants  
26 or loans to improve their personal conditions under standards prescribed  
27 by the bylaws subject to the approval of the Alaska Native Commission;  
28 if the purpose of the application is to allow the applicant to move  
29 himself or his family from the village or from Alaska, this shall not

1 be a bar to approval of the application; approval is not a bar to a  
2 subsequent application from the same applicant;

3 (3) the corporation shall not distribute more than 160  
4 acres to any person, including all persons in his immediate family,  
5 and shall not distribute more than 10 per cent of the land it receives  
6 under the Federal Alaska Native Claims Act of 1968 in kind to appli-  
7 cants; the distribution shall be under standards prescribed by the  
8 bylaws subject to the approval of the Alaska Native Commission;

9 (4) Other than land, the corporation shall not distribute  
10 as distributions more than 10 per cent of the royalty received from  
11 the state under this chapter nor more than 20 per cent of its other  
12 capital.

13 Sec. 38.30.280. DISSOLUTION. During the period of 100 years  
14 after the effective date of this chapter, any corporation may be dis-  
15 solved only if the Alaska Native Commission determines that the dis-  
16 solution would be in the best interests of the shareholders.

17 Sec. 38.30.290. MERGER AND CONSOLIDATION. A native group  
18 corporation may merge with any other native group corporation, or,  
19 together with all other native group corporations of the region,  
20 with the appropriate regional native association or corporation.  
21 Regional native associations and corporations may merge. All mergers  
22 shall be subject to the approval of the Alaska Native Commission.

23 Sec. 38.30.300. TAXATION. (a) Lands held by a native corpora-  
24 tion authorized by this chapter and revenues from these lands shall  
25 be taxable except to the extent prohibited by federal law.

26 (b) Royalties received by the corporation from grants made by  
27 the Federal Alaska Native Claims Act of 1968 or this chapter shall not  
28 be taxed to the corporation.

29 (c) Dividends paid to shareholders shall be taxable to the

1 shareholder.

2 (d) Distributions from capital during the period distributions  
3 are permitted shall not be taxable to the shareholders or other  
4 recipients.

5 (e) Liquidation payments shall be taxable, but only to the  
6 extent of gain during the period the property was received and held  
7 by the corporation.

8 Sec. 38.30.310. RULES AND REGULATIONS. The commission may adopt  
9 rules and regulations to implement secs. 190 - 300 of this chapter.

10 ARTICLE 4. GENERAL PROVISIONS.

11 Sec. 38.30.320. CONTRACTS WITH THE ALASKA DIVISION OF LANDS. A  
12 native group may contract with the state division of lands for the  
13 management of lands, provided that no sale, lease, exchange or other  
14 disposal of such lands may be made without the approval of the  
15 governing body of the native group. The contract may cover all or a  
16 portion of the lands of the native group, shall be terminable upon  
17 reasonable notice by either party, and shall provide for the terms of  
18 management by reference to law or regulation or otherwise. The  
19 Department of Natural Resources is authorized to receive and expend,  
20 subject to appropriation, funds necessary to carry out its functions  
21 under this section.

22 Sec. 38.30.330. EXCHANGE OF LANDS. With the consent of, and in  
23 accordance with regulations made by, the commission a native group  
24 which would otherwise be entitled to exercise preference right selec-  
25 tion of native township grants on lands within their area of claims  
26 based on aboriginal use and occupancy, which however have been selected  
27 by and patented to the state may obtain such lands, if the same have  
28 not been disposed of, by exchanging lands of equal value with the state.

29 Sec. 38.30.340. EFFECT OF CHAPTER. (a) The royalty grant and

1 other provisions contained in secs. 140 - 160 and secs. 170(a), (b),  
2 (d) and (f), 180, 340 and 350 of this chapter effect a final and  
3 complete contract of settlement of all native claims against the  
4 state and the natives of Alaska, by accepting any of the royalties  
5 granted in those sections, shall be deemed to have accepted, approved  
6 and ratified the grant and each and every term of the contract settle-  
7 ment and the contract thereby created shall not be impaired.

8 (b) If within six years after the effective date of this chapter  
9 none of the royalty is accepted by the natives of Alaska in accordance  
10 with (a) of this section, all royalty shares granted under this  
11 chapter, including those held in trust by the state, shall become null  
12 and void and shall revert to the state.

13 Sec. 38.30.350. RESTRICTION ON STATE SELECTIONS. (a) If the  
14 present land freeze (as defined in sec. 140 of this chapter) imposed  
15 by the United States Department of the Interior is unconditionally  
16 removed and terminated on or before October 10, 1968, the state shall  
17 not, for a period of 18 months after the effective date of this  
18 chapter, exercise its right of selection under the Alaska Statehood  
19 Act outside of that area bounded on the east by 141° west longitude,  
20 on the west by 152° w. longitude, on the north by the 66° north  
21 latitude and on the south by the Pacific Ocean, unless it receives the  
22 prior consent of the native group which claims, on the basis of  
23 aboriginal use and occupancy, the area to be selected.

24 Sec. 38.30.360. MUNICIPAL CORPORATIONS. This chapter does not  
25 prevent the incorporation of villages as municipal corporations, or  
26 the continued existence of villages which are municipal corporations,  
27 under state law.

28 Sec. 38.30.370. SHORT TITLE. This chapter may be cited as the  
29 Alaska Native Claims State Settlement Act of 1968.

1                   Sec. 38.30.380. DEFINITIONS. In this chapter

2                   (1) "commission" means the Alaska Native Commission  
3 established by this chapter or by federal act, as appropriate;

4                   (2) "native" and "Alaska native" means any Alaskan Indian,  
5 Eskimo, or Aleut, including but not limited to any Alaska native whose  
6 adoptive parent is not an Alaska native, of at least one-fourth degree  
7 Indian, Eskimo, or Aleut blood or, in the absence of proof of a  
8 minimum blood quantum, who is regarded as native by the native group  
9 in which he claims enrollment, and whose father or mother was regarded  
10 as native by that or any other native group;

11                   (3) "native group" means any tribe, band, village, community  
12 association, or other identifiable group of Indians, Aleuts, or  
13 Eskimos of Alaska, resident in Alaska, including identifiable groups  
14 of residents of a locality which, as such a group, claims Indian title  
15 to land in Alaska by virtue of aboriginal use and occupancy at any  
16 time; "group" or "native group" may, when appropriate, include not  
17 only "native group" but also "regional native association", "regional  
18 native corporation" and the "statewide native corporation";

19                   (4) "regional native association" means an association of  
20 natives or native groups organized to represent the interests of the  
21 natives of a region of Alaska which is greater than the area occupied  
22 or formerly occupied by an historic native group; the interests of  
23 native groups within the region may be merged in the regional  
24 association;

25                   (5) "regional native corporation" means a corporation  
26 organized under the laws of Alaska and this chapter, representing the  
27 interests of the natives of a particular region of Alaska; the inter-  
28 ests of native groups within the region may be merged in the regional  
29 native corporation.

1        \* Sec. 3. This Act takes effect on the day after its passage and  
2 approval or on the day it becomes law without approval.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29