

Introduced: 1/18/78  
Referred: Resources, Judiciary  
and Finance

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1 IN THE HOUSE

2 HOUSE BILL NO. 650

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act directing the initiation of litigation to  
7 protect the interests of the state in completing land  
8 selections under the Alaska Statehood Act; and provid-  
9 ing for an effective date."

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

11 \* Section 1. FINDINGS. The legislature finds that

12 (1) the Act providing for the admission of Alaska into the Union  
13 (P.L. 85-508) constitutes a compact between the United States and the people  
14 of the State of Alaska;

15 (2) subject to subsequent determination of the rights of Alaska  
16 Natives claiming land on the basis of aboriginal title, the Alaska Statehood  
17 Act authorized selection by the state of 102,550,000 acres from the public  
18 land of the United States which was vacant, unappropriated and unreserved at  
19 the time of selection, together with additional acreage from national forest  
20 land;

21 (3) Congress has provided for settlement of the claims of Alaska  
22 Natives by enactment of the Alaska Native Claims Settlement Act (P.L. 92-  
23 203);

24 (4) the same legislation providing for the settlement of the  
25 claims of Alaska Natives directs the withdrawal of 80 million acres of public  
26 land for subsequent evaluation and possible inclusion in national park,  
27 forest, wildlife refuge, and wild and scenic river systems, and that legis-  
28 lation now under consideration by the United States House of Representatives  
29 would, if enacted, terminate the rights of the State of Alaska to certain

1 land selected or tentatively approved and add extensive acreage to the land  
2 already closed to selection by the state;

3 (5) the state has not completed selection of the land which it is  
4 authorized to select under the Statehood Act, six years remain to the state  
5 to complete its selections, and the continuing action on the part of Congress  
6 in effecting or considering the withdrawal or reservation of land constitutes  
7 a serious threat to the state's ability to make timely selection under the  
8 Statehood Act of land having actual or potential economic value; and

9 (6) a resolution of the legal questions involving the rights of  
10 selection under the Statehood Act as against the continuing efforts of the  
11 federal government to restrict selections by withdrawal or reservation of  
12 public land is of immediate concern to the people of Alaska and to the future  
13 development of the state and its resources.

14 \* Sec. 2. COMMENCEMENT OF LITIGATION. (a) The governor shall require  
15 the attorney general to initiate litigation on behalf of the people of the  
16 State of Alaska to assert the state's position with respect to exercise of  
17 the right of the state to select land as contemplated in the Alaska Statehood  
18 Act as against actions by the federal government in providing for the reser-  
19 vation or withdrawal of public land resulting in the reduction of the acreage  
20 available from which the state is entitled to complete selections. The liti-  
21 gation shall also seek to determine the rights of the state with respect to  
22 land selected but not patented in which the selection is compromised or ter-  
23 minated by legislation enacted or proposed for enactment by Congress and  
24 affecting land in Alaska. The litigation shall seek injunctive as well as  
25 declaratory relief.

26 (b) The court action contemplated in (a) of this section shall be filed  
27 not later than 10 days after the effective date of this Act.

28 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-  
29 070(c).