

Offered: 2/4/83  
Referred: Judiciary

Original sponsors: Fahrenkamp, Bennett,  
Moss, et al

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 CS FOR SENATE BILL NO. 41 (Resources)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL  
6 For an Act entitled: "An Act relating to the transfer of the ownership and  
7 management of University of Alaska trust land from  
8 the Department of Natural Resources to the Board of  
9 Regents of the University of Alaska; and providing  
10 for an effective date."

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

12 \* Section 1. PURPOSE. The purpose of this Act is to provide for the  
13 settlement of certain claims and litigation and to transfer ownership and  
14 management of certain land from the Department of Natural Resources to the  
15 Board of Regents of the University of Alaska.

16 \* Sec. 2. RATIFICATION. The terms of the document entitled "Settlement  
17 Agreement between the Department of Natural Resources, the Department of  
18 Revenue, and the Department of Administration and the University of Alaska  
19 and the Board of Regents, as trustees for the University of Alaska", which  
20 was submitted to the Alaska State Legislature on March 26, 1982, as amend-  
21 ed, are ratified as to the duties and obligations of the State of Alaska  
22 and Board of Regents of the University of Alaska.

23 \* Sec. 3. CONVEYANCE. The commissioner of natural resources is direct-  
24 ed to convey to the Board of Regents of the University of Alaska the right,  
25 title, and interest of the state in and to

26 (1) the land identified in Appendix N of the Settlement Agree-  
27 ment described in sec. 2 of this Act; and

28 (2) that state land listed in Appendix O of the Settlement  
29 Agreement described in sec. 2 of this Act, in the priority order stated in

1 appendix O of the Settlement Agreement, which equals in appraised value the  
2 total compensation due the University of Alaska under Appendix M of the  
3 Settlement Agreement described in sec. 2 of this Act less the compensation  
4 appropriated to the University of Alaska in an Act making appropriations to  
5 implement the Settlement Agreement described in sec. 2 of this Act.

6 \* Sec. 4. AS 14.40.170(a)(4) is amended to read:

7 (4) have the care, control and management of

8 (A) all the real and personal property of the univer-  
9 sity; and

10 (B) land conveyed to the Board of Regents by the  
11 commissioner of natural resources in settlement of the claim of  
12 the University of Alaska to land granted to the state in accor-  
13 dance with the Act of March 4, 1915 (38 Stat. 1214), as amended  
14 and in accordance with the Act of January 21, 1929 (45 Stat.  
15 1091) as amended;

16 \* Sec. 5. AS 14.40.170(a) is amended by adding new paragraphs to read:

17 (7) adopt reasonable rules for the prudent trust management  
18 and the long-term financial benefit to the university of the land of  
19 the university;

20 (8) provide public notice of sales, leases, exchanges and  
21 transfers of the land of the university or of interests in land of the  
22 university.

23 \* Sec. 6. AS 14.40 is amended by adding a new section to read:

24 Sec. 14.40.291. LAND OF THE UNIVERSITY OF ALASKA NOT PUBLIC  
25 DOMAIN LAND. Notwithstanding any other provision of law,  
26 university-grant land, state replacement land that becomes  
27 university-grant land on conveyance to the university, and any other  
28 land owned by the University of Alaska is not and may not be treated  
29 as state public domain land. Title or interest to land described in

1       this section may not be acquired by adverse possession, prescription,  
2       or in any other manner except by conveyance from the university. The  
3       land is subject to condemnation for public purpose in accordance with  
4       law.

5       \* Sec. 7. Nothing in this Act precludes or prejudices negotiations  
6 between the Municipality of Anchorage and the University of Alaska to  
7 settle Case Number JAN-79-2801 Civil, Third Judicial District, State of  
8 Alaska, or prejudices or otherwise affects the pursuit or outcome of that  
9 litigation or diminishes or affects the rights or interests of the Univer-  
10 sity of Alaska or the Municipality of Anchorage in that pending litigation.

11       \* Sec. 8. Nothing in this Act precludes or prejudices negotiations  
12 between plaintiffs and the defendants in the case entitled Verne T. Weiss  
13 v. State of Alaska, Case No. 4FA82-2208, or prejudices or otherwise affects  
14 the pursuit or outcome of that litigation or diminishes or otherwise  
15 affects the rights or interests of the plaintiffs or the defendants in that  
16 litigation.

17       \* Sec. 9. Within 10 days of the convening of the first session of the  
18 Fourteenth Legislature, the Board of Regents of the University of Alaska  
19 will submit a report to the legislature on the goals, objectives, and plans  
20 of the university for the management of the trust lands.

21       \* Sec. 10. This Act takes effect immediately in accordance with AS 01.-  
22 10.070(c).