

Offered: 2/4/83
Referred: Judiciary

Original sponsors: Fahrenkamp, Bennett,
Moss, et al

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

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CS FOR SENATE BILL NO. 41 (Resources) am

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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THIRTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act relating to the transfer of the ownership and management of University of Alaska trust land from the Department of Natural Resources to the Board of Regents of the University of Alaska; and providing for an effective date."

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

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

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* Sec. 2. RATIFICATION. The terms of the document entitled "Settlement Agreement between the Department of Natural Resources, the Department of Revenue, and the Department of Administration and the University of Alaska and the Board of Regents, as trustees for the University of Alaska", which was submitted to the Alaska State Legislature on March 26, 1982, as amended, are ratified as to the duties and obligations of the State of Alaska and Board of Regents of the University of Alaska.

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* Sec. 3. CONVEYANCE. The commissioner of natural resources is directed to convey to the Board of Regents of the University of Alaska the right, title, and interest of the state in and to

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(1) the land identified in Appendix N of the Settlement Agreement described in sec. 2 of this Act; and

(2) that state land listed in Appendix O of the Settlement 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 (9) report each year within the first 10 days of the con-
24 vening of a regular session of the legislature on the expenditures
25 made during the preceding fiscal year from the funds of the University
26 of Alaska that are derived from sales, leases, exchanges, or transfers
27 of the land of the university or of interests in land of the univer-
28 sity that were conveyed to the University of Alaska in settlement of
29 the claim of the University of Alaska to land granted to the state in

1 accordance with the Act of March 4, 1915 (38 Stat. 1214), as amended,
2 and in accordance with the Act of January 21, 1929 (45 Stat. 1091), as
3 amended.

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

5 Sec. 14.40.291. LAND OF THE UNIVERSITY OF ALASKA NOT PUBLIC
6 DOMAIN LAND. Notwithstanding any other provision of law, university-
7 grant land, state replacement land that becomes university-grant land
8 on conveyance to the university, and any other land owned by the
9 University of Alaska is not and may not be treated as state public
10 domain land. Title or interest to land described in this section may
11 not be acquired by adverse possession, prescription, or in any other
12 manner except by conveyance from the university. The land is subject
13 to condemnation for public purpose in accordance with law.

14 * Sec. 7. Nothing in this Act precludes or prejudices negotiations
15 between the Municipality of Anchorage and the University of Alaska to
16 settle Case Number 3AN-79-2801 Civil, Third Judicial District, State of
17 Alaska, or prejudices or otherwise affects the pursuit or outcome of that
18 litigation or diminishes or affects the rights or interests of the Univer-
19 sity of Alaska or the Municipality of Anchorage in that pending litigation.

20 * Sec. 8. Nothing in this Act precludes or prejudices negotiations
21 between plaintiffs and the defendants in the case entitled Verne T. Weiss
22 v. State of Alaska, Case No. 4FA82-2208, or prejudices or otherwise affects
23 the pursuit or outcome of that litigation or diminishes or otherwise
24 affects the rights or interests of the plaintiffs or the defendants in that
25 litigation.

26 * Sec. 9. Within 10 days of the convening of the first session of the
27 Fourteenth Legislature, the Board of Regents of the University of Alaska
28 will submit a report to the legislature on the goals, objectives, and plans
29 of the university for the management of the trust lands.

1 * Sec. 10. This Act takes effect immediately in accordance with AS 01.-
2 10.070(c).