

Introduced: 5/9/86  
Referred: Rules

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2

SENATE RESOLUTION NO. 12

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

Supporting the provisions of the Alaska

6

Native Claims Settlement Act and oppos-

7

ing certain amendments to that Act.

8 BE IT RESOLVED BY THE SENATE:

9 WHEREAS the State of Alaska traditionally has considered and treated  
10 all residents of the state as equal citizens under the law, the United  
11 States Constitution, and the Alaska Constitution; and

12 WHEREAS the United States Congress declared as its policy in Section  
13 2(b) of the 1971 Alaska Native Claims Settlement Act that "the settlement  
14 should be accomplished rapidly, with certainty, in conformity with the real  
15 economic and social needs of Natives, without litigation, with maximum  
16 participation by Natives in decisions affecting their rights and property,  
17 without establishing any permanent racially defined institutions, rights,  
18 privileges, or obligations, without creating a reservation system or  
19 lengthy wardship or trusteeship, and without adding to the categories of  
20 property and institutions enjoying special tax privileges or to the legis-  
21 lation establishing special relationships between the United States Govern-  
22 ment and the State of Alaska"; and

23 WHEREAS the State of Alaska has been an active participant in effect-  
24 ing the Alaska Native Claims Settlement Act, has contributed \$500,000,000  
25 from the state treasury to the 13 Alaska Native regional corporations, and  
26 has supported the granting of title to 44,000,000 acres of land in the  
27 state; and

28 WHEREAS the Alaska Native Claims Settlement Act provided for the  
29 gradual transition from trust status for Alaska Natives to equality for all

1 Alaska citizens; and

2 WHEREAS in 1986 two members of the Alaska Congressional delegation  
3 introduced S. 2065 and H.R. 4162, which would substantially amend the  
4 intent and specific agreements of the Alaska Native Claims Settlement Act;  
5 and

6 WHEREAS any action at the federal level to weaken the State of  
7 Alaska's position in treating all Alaskans equally is detrimental to the  
8 long-term social, cultural, and economic future of the citizens of the  
9 state; and

10 WHEREAS the Alaska Native Claims Settlement Act intended that the  
11 Alaska Native Community, through its regional corporations, would become a  
12 significant element of the business and economic enterprise system in the  
13 state, and certain immunities included in the proposed 1991 amendments  
14 would preclude free economic exchange; and

15 WHEREAS United States Senator Frank Murkowski has requested "the  
16 official views of our state legislators...on this important legislation";

17 BE IT RESOLVED that the Alaska State Senate supports the Alaska Native  
18 Claims Settlement Act as originally passed, including its intent and pur-  
19 poses; and be it

20 FURTHER RESOLVED that the Alaska State Senate opposes any amendments,  
21 such as those proposed in the "1991" package, that would legally alter the  
22 intent and provisions of the 1971 Alaska Native Claims Settlement Act by  
23 creating permanent racially defined institutions, by granting racial stock  
24 provisions, or by establishing racially defined tax privileges; and be it

25 FURTHER RESOLVED that the Alaska State Senate opposes any amendments  
26 to the 1971 Alaska Native Claims Settlement Act, including those proposed  
27 in the "1991" package, that would establish a unique relationship between  
28 certain Native Americans and the federal government, that would cause  
29 Alaska Natives to relinquish their Alaskan and United States "first class

1 citizen" status, and that would reduce Alaska Natives to the status of a  
2 "ward of the United States government"; and be it

3 FURTHER RESOLVED that the Alaska State Senate does not oppose extend-  
4 ing the 1991 deadline under the Alaska Native Claims Settlement Act to the  
5 year 1996; and be it

6 FURTHER RESOLVED that the Alaska State Senate opposes any amendments  
7 to the Act that would allow unequal exempt status of developed state land  
8 and thereby unfairly transfer the tax burden to other existing land owners;  
9 and be it

10 FURTHER RESOLVED that the Alaska State Senate opposes amendments to  
11 the Act that would permit the transfer of nontaxable properties to corpo-  
12 rations or entities organized under federal law, but not organized and  
13 recognized under the constitution and laws of the State of Alaska; and be  
14 it

15 FURTHER RESOLVED that the Alaska State Senate desires to preserve the  
16 provisions and spirit of the 1971 Alaska Native Claims Settlement Act that  
17 ratify Native Alaskans' rights as full citizens of the State of Alaska and  
18 the United States of America; and be it

19 FURTHER RESOLVED that the Alaska State Senate respectfully requests  
20 the United States Congress to hold extensive public hearings in all elec-  
21 tion districts of Alaska on the 1991 amendments to assure broad public  
22 understanding and comment.

23 COPIES of this resolution shall be sent to the Honorable Ronald  
24 Reagan, President of the United States; the Honorable George Bush, Vice  
25 President of the United States and President of the U.S. Senate; the  
26 Honorable Thomas P. O'Neill, Speaker of the U.S. House of Representatives;  
27 and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.  
28 Senators, and the Honorable Don Young, U.S. Representative, members of the  
29 Alaska delegation in Congress.