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Original sponsors: Sturgulewski, Fischer,
Abood, et al.

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

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CS FOR SENATE JOINT RESOLUTION NO. 7 (Resources)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - FIRST SESSION

5

Relating to oil and gas exploration,

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development, and production within the

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Arctic National Wildlife Refuge, Alaska,

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and declaring state policy.

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BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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WHEREAS the Congress of the United States has reserved to itself under

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sec. 1003 of the Alaska National Interest Lands Conservation Act (94 Stat.

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2371) the authority to permit further oil and gas exploration, development,

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and production in the coastal plain of the Arctic National Wildlife Refuge;

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and

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WHEREAS the coastal plain of the Arctic National Wildlife Refuge

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contains the greatest potential on the North American continent for the

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discovery of economic quantities of recoverable oil and gas reserves; and

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WHEREAS the coastal plain of the Arctic National Wildlife Refuge

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contains unique environmental and wildlife qualities that require consid-

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eration and caution in the exploration, development, and production of

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hydrocarbon resources in the coastal plain; and

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WHEREAS, based on the accumulated evidence, the Alaska State Legisla-

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ture believes that any adverse effects on the Porcupine caribou herd re-

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sulting from development on the coastal plain of the Arctic National Wild-

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life Refuge can be successfully mitigated; and

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WHEREAS all the people of Alaska have expressed and demonstrated

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concern for the environment and wildlife present on the coastal plain of

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the Arctic National Wildlife Refuge, as well as the desire to enhance

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economic opportunities that may result from energy related activities on

1 the coastal plain of the Arctic National Wildlife Refuge; and

2 WHEREAS the indigenous people of Alaska have recognized the potential
3 of the coastal plain of the Arctic National Wildlife Refuge to provide for
4 the well-being of future generations of their people consistent with the
5 Alaska Native Claims Settlement Act (43 U.S.C. 1601-1629a); and

6 WHEREAS value-for-value exchanges of federally owned subsurface rights
7 in the coastal plain for State of Alaska and Alaska Native corporation
8 surface right inholdings in federal conservation system units and surface
9 land adjacent to federal conservation system units offer an unparalleled
10 opportunity for the federal government to reacquire land of great environ-
11 mental value; and

12 WHEREAS the Mineral Leasing Act of 1920 (30 U.S.C. 191) provides that
13 90 percent of the revenue from mineral leasing on federally owned public
14 land is dedicated to the benefit of the state within which the land is
15 located through direct payment and, except for Alaska, coverage under the
16 Reclamation Fund (43 U.S.C. 391-401); and

17 WHEREAS, at statehood, the United States Congress did not include
18 Alaska under the Reclamation Fund, but instead provided that the full 90
19 percent of the revenue from the leasing of minerals on federally owned
20 public land in the state would be paid directly to the State of Alaska
21 without deposit in the Reclamation Fund; and

22 WHEREAS the Congress applied the Mineral Leasing Act of 1920 (30
23 U.S.C. 191) to Alaska in secs. 6(h) and 28 of the Alaska Statehood Act
24 (P.L. 95-508, July 7, 1958) and, as a result, the Mineral Leasing Act of
25 1920, which allocates to Alaska a total of 90 percent of the revenue from
26 the leasing of minerals on federally owned public land in Alaska, became an
27 integral part of the compact between the United States and the State of
28 Alaska under sec. 4 of the Alaska Statehood Act; and

29 WHEREAS the legislature has established an extensive public record

1 regarding the issues that relate to the central issue of the Congress
2 exercising its authority under sec. 1003 of the Alaska National Interest
3 Lands Conservation Act;

4 BE IT RESOLVED that the Alaska State Legislature strongly urges that

5 (1) the Congress of the United States open the coastal plain
6 (1002 area) of the Arctic National Wildlife Refuge, Alaska, to environ-
7 mentally sound oil and gas exploration, development, and production under
8 the authority of the Mineral Leasing Act of 1920;

9 (2) the Congress of the United States reject any consideration
10 of an exploration program that would be performed by a governmental agency,
11 as was the case in the National Petroleum Reserve-Alaska; and be it

12 FURTHER RESOLVED that the Legislature

13 (1) supports and urges maximum participation and job opportunity
14 for Alaska residents in all phases of energy development that might occur
15 on the coastal plain of the Arctic National Wildlife Refuge;

16 (2) supports the value-for-value exchange of interests, involv-
17 ing land within the coastal plain of the Arctic National Wildlife Refuge
18 under the provisions of the Alaska National Interest Land Conservation Act,
19 the Alaska Native Claims Settlement Act, and state statutes, where applica-
20 ble, between the United States government and the State of Alaska and
21 between the United States government and Alaska Native corporations;

22 (3) supports the conclusion that, while the elimination of in-
23 holdings within federal conservation units, may, in some cases, be in the
24 public interest, the State of Alaska should convey only the surface estate
25 in its inholdings within federal refuges and national parks or other feder-
26 al conservation system units, if the state of Alaska is involved in any
27 trades for subsurface interest in the coastal plain of the Arctic National
28 Wildlife Refuge.

29 COPIES of this resolution and the Senate Resources Committee Report on

1 the Arctic National Wildlife Refuge shall be sent to the Honorable Ronald
2 Reagan, President of the United States; the Honorable George Bush, Vice-
3 President of the United States and President of the U.S. Senate; the Honor-
4 able Jim Wright, Speaker of the U.S. House of Representatives; the Honor-
5 able George P. Shultz, Secretary of State; the Honorable Donald P. Hodel,
6 Secretary of the Interior; the Honorable J. Bennett Johnston, Chairman of
7 the Senate Committee on Energy and Natural Resources; the Honorable Morris
8 K. Udall, Chairman of the House Committee on Interior and Insular Affairs;
9 and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
10 Senators, and the Honorable Don Young, U.S. Representative, members of the
11 Alaska delegation in Congress.