

Original sponsor: Beirne, Eliason,
Fink, et al

Offered: 4/3/75
Referred: Finance

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 16
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 NINTH LEGISLATURE - FIRST SESSION

5 Relating to the state's selection from
6 public land.

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

8 WHEREAS section 6(a) of the Alaska Statehood Act vests the State of
9 Alaska with an absolute right to select, within 25 years of becoming a state,
10 up to 400,000 acres of land within national forests of Alaska; and

11 WHEREAS this land is for the purposes of furthering the development and
12 expansion of communities, and shall be adjacent to established communities or
13 suitable for prospective community centers and recreational areas; and

14 WHEREAS since achieving statehood many Alaskan communities have under-
15 gone vast expansion and many others have an immediate need to expand; and

16 WHEREAS Alaska's population is increasing at an ever higher and higher
17 rate each year and it is essential that Alaskan communities be able to under-
18 take orderly expansion and development; and

19 WHEREAS the United States Forest Service has effectively abrogated the
20 right granted the State of Alaska by section 6(a) of the Statehood Act by its
21 insistence on prior approval of state selections filed under section 6(a); and

22 WHEREAS the state has selected less than 10 per cent of its land
23 entitlement from the national forests; and

24 WHEREAS the Bureau of Land Management has been extremely dilatory in
25 processing these applications, with some of them awaiting transfer of manage-
26 ment authority since 1968;

27 BE IT RESOLVED by the Alaska State Legislature that the Governor of the
28 State of Alaska is respectfully requested to direct the Department of Natural
29 Resources to proceed with the selection of the remainder of the state entitle-

1 ment under section 6(a) of the Statehood Act and the Department of Law to
2 take necessary action to eliminate the United States Forest Service from the
3 selection process, and be it

4 FURTHER RESOLVED that the President of the United States is respectfully
5 requested to direct the Department of Agriculture to cease review of state
6 selection applications under section 6(a) of the Statehood Act and the Depart-
7 ment of the Interior to act expeditiously on selections currently pending
8 under section 6(a) of the Statehood Act and on all selections filed in the
9 future.

10 COPIES of this resolution shall be sent to the Honorable Gerald R. Ford,
11 President of the United States; the Honorable Rogers C. B. Morton, Secretary,
12 Department of the Interior; the Honorable Earl Butz, Secretary, Department of
13 Agriculture; and the Honorable Ted Stevens, and the Honorable Mike Gravel,
14 United States Senators; and the Honorable Don Young, United States Representa-
15 tive, members of the Alaska delegation in Congress.

Introduced: 2/10/75
Referred: Resources and
Finance

BY BEIRNE, ELIASON, FINK,
HACKNEY, HAUGEN, HERSHBERGER,
RHODE, SPECKING AND URION

1 IN THE HOUSE

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HOUSE CONCURRENT RESOLUTION NO. 16

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - FIRST SESSION

5

Relating to the state's selection from

6

public land.

7

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

8

WHEREAS, under section 6(a) of the Alaska Statehood Act, the State of

9

Alaska is entitled to select, within 25 years after becoming a state, up to

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400,000 acres of land within national forests in Alaska which is vacant and

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unappropriated at the time of its selection for the purposes of furthering

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the development and expansion of communities; and

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WHEREAS the state is entitled to select another 400,000 acres from the

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other public land in Alaska which is vacant, unappropriated, and unreserved

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at the time of its selection, all of which shall be adjacent to established

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communities or suitable for prospective community centers and recreational

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areas; and

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WHEREAS since achieving statehood many Alaskan communities have undergone

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vast expansion and many others have an immediate need to expand; and

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WHEREAS Alaska's population is increasing at an ever higher and higher

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rate each year and it is essential that Alaskan communities be able to under-

22

take orderly expansion and development;

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BE IT RESOLVED by the Alaska State Legislature that the Governor is

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respectfully requested to direct the Department of Natural Resources,

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Division of Lands, to immediately take all action necessary to expedite the

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selection of public land provided for under section 6(a) of the Alaska

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Statehood Act.

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The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. HCR 16

Title: Relating to the state's selection from public land.

Requested by: Finance Committee

Date: 4/9/75

Return Date Requested: Within 5 days

Agency: Natural Resources

Program: Land Management

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Land Management

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES	0	24.	24.	0		
200 TRAVEL	0	5.	5.	0		
300 CONTRACTUAL	0	2.	2.	0		
400 COMMODITIES	0	1.	1.	0		
500 EQUIPMENT	0	0	0	0		
600 LAND & STRUCTURES	0	0	0	0		
700 GRANTS, CLAIMS, ETC.	0	0	0	0		
TOTAL	0	32.	32.	0		

B. FUNDING: (Thousands of dollars)

	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
GENERAL FUND	0	32.	32.	0		
FEDERAL FUNDS	0	0	0	0		
OTHER	0	0	0	0		

C. POSITIONS:

	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
PERMANENT/TEMPORARY	0/0	1/0	1/0	0/0	/	/
MAN MONTHS (P./T.)	0/0	12/0	12/0	0/0	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

In the event the state cannot prevail as explained in item IV below, it will necessitate the hiring on of a Land Management Office II at pay grade 13, to work full time on developing land use plans to meet the US Forest Service criteria. It is anticipated this work would be completed in 2 years. The period could be shortened to 1 year if 2 positions were hired for a 12 month period. Travel and per diem is for meeting with all of the municipalities involved to incorporate their thoughts, ideas and support.

IV. ATTACHMENTS

See attached supplement

V. DATE: 4/9/75

PREPARED BY: Dale P. Tubbs
Deputy Director

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Continuation of IV

Forest Service selections have been frustrated by Forest Service policy. The Forest Service has developed an extremely complicated procedure within their own organizational structure thus imposing restriction on the state to justify its selections. This interpretation requires the state to develop a land use plan for the lands prior to selection. These requirements have blocked most of our efforts and now with the assistance of the Attorney General's office a move is being made to assert the state's rights as stated in section 6(a) of the statehood act without fanfare. As long as the state can prevail with the AG's opinion the selections can be handled by existing staff in a routine manner. It is anticipated the selections could then be completed within a year.

The selection of 400,000 acres of community grant land stated in the second whereas is not a problem. To date this authority is used when the general grant selection authority cannot be exercised. Selections cannot be made under the general grant authority if less than 1/4 township is involved. The BLM does not impose restrictions on the state that have the impediments outlined by the U.S. Forest Service.