

HB

933



Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

MEMORANDUM

April 28, 1980

TO: Members of the House Judiciary Committee
FROM: Representative Charles H. Parr, Chairman
SUBJECT: Sagebrush Rebellion Legislation

The members of the Committee are familiar with the path being followed by the State of Nevada in attacking the overweening influence of the Federal Government in the State. In brief, Nevada is saying that all public land in the State is its property and it plans to enforce its ownership. The intent is, of course, to lead to a Supreme Court resolution of Nevada's claim that Federal Government retention of nearly all the public land discriminated against the State -- that it was not admitted on an even footing with other States admitted-earlier.

The chances of success in this legal battle may be slight, but if there is enough support among the Western States, Congress may well be forced to take a more reasonable attitude on land issues.

The Judiciary Committee passed out some weeks ago HJR 51 (7 "do pass" and 1 "no rec"). HJR 51 was the first of a package of three bills. It would place a constitutional amendment on the ballot so that the voters might rescind that portion of the State Constitution in which we give up all claim to "Federal" land.

HB 933 and HB 981 are the second and third parts of the package. In addition to the disclaimer in the Constitution, there is also a provision in the Statehood Act. The Statehood Act is a contract and requires bilateral agreement to change. HB 933 would have the voters advise us as to whether we should petition Congress for negotiations to change the Statehood Act.

HB 981 would ask the voters to tell us whether we should pass a bill similar to that passed by Nevada. This bill would then stake our claim to all the public land in the State (it would not affect private or Native Corporation land).

I believe we need to pass this three-bill package. Even though the concrete results may be slight, we will at the very minimum make a strong statement which may have some influence as the D-2 issue comes to a head this summer.