

HB

130

(FILE 1)

Received in the House: _____ | Received in the Senate: _____
(Date/Time) (Date/Time)

CONFERENCE COMMITTEE REPORT

Date: May 13, 2005
(Reported out of Committee)

MR. SPEAKER: MR. PRESIDENT:

The **CONFERENCE COMMITTEE** with limited powers of free conference considering:
 •House Version:

CS FOR HOUSE BILL NO. 130(FIN) am

"An Act relating to the grant of certain state land to the University of Alaska; relating to the duties of the Board of Regents; establishing the university research forest; and providing for an effective date."

and

•Senate Version:

SENATE CS FOR CS FOR HOUSE BILL NO. 130(FIN)

(same title)

Recommends the:

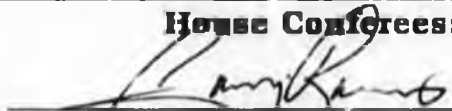

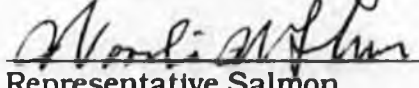
CCS HB 130 be adopted.

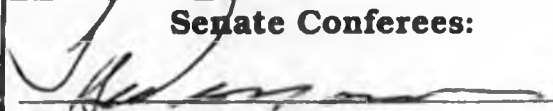
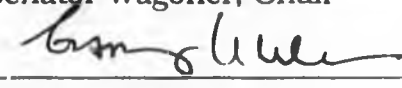
New Title (see attached) Same Title as: House Version Senate Version

- or - Recommends the: House Version Senate Version be adopted.

House Letter of Intent attached.

FN #	List by Dept(s)	New Fiscal Note	Previous Fiscal Note	Fiscal Impact	Indet.	Zero
1	F+G		✓			
2	LAW		✓			
3	DNR		✓			
4	UA		✓			

House Conferees:

 Representative Ramras, Chair

 Representative Weyhrauch

 Representative Salmon

Senate Conferees:

 Senator Wagoner, Chair

 Senator Wilken

 Senator Ellis

Return Conference Bill and attachments to the Chief Clerk's Office.

AMENDMENT 1 SCSCSHB 130(FIN)
IN CONFERENCE COMMITTEE

Page 5, line 31-Page 6, line 1-9

- 31 (n) Notwithstanding (a) of this section, the following state land described in
01 the document entitled "University of Alaska Land Grant List 2005," dated January 12,
02 2005, may not be conveyed to the University of Alaska under this section:
- 03 (1) Parcel Number CS.DI.1001, Duke Island;
- 04 (2) Parcel Number MF.1002, Idaho Inlet;
- 05 (3) [(2)] Parcel Number CS.KI.1001, Kelp Island;
- 06 (4) [(3)] Parcel Number HA.CH.1001, Haines-Chilkoot
- 07 (5) [(4)] Parcel Number KT.1004, Neets Creek;
- 08 (6) [(5)] Parcel Number MA.KR.1001, Kodiak Rocket Range;
- 09 (7) Parcel Number ST.1002, Pelican
- 10 (8) (6) Parcel Number PA.1001, Port Alexander; and
- 11 (9) (7) Parcel Number ST.1002, Warm Springs Bay.

AMENDMENT 2SCSCSHB 130(FIN)
IN CONFERENCE COMMITTEE

Page 7, line 3-15

Delete Line 13 & 15

03 (q) Notwithstanding (a) of this section, the state land identified in this
04 subsection and described in the document entitled "University of Alaska Land Grant
05 List 2005," dated January 12, 2005, may not be conveyed to the University of Alaska
06 under this section if the land is included in a borough formed before July 1, 2009. If a
07 borough is not formed before July 1, 2009, the land described in this subsection shall
08 be conveyed to the University of Alaska on July 1, 2009. If a borough is formed
09 before July 1, 2009, and the borough does not select land described in this subsection
10 before January 1, 2013, the land not selected by the borough shall be conveyed to the
11 University of Alaska on June 30, 2013. The following land is subject to the provisions
12 of this subsection:

13 *[(1) Parcel Number MF.1002, Idaho Inlet;]*

14 (2) Parcel Number PA.1002, Mite Cove; and

15 *[(3) Parcel Number ST.1002, Pelican.]*

renumber accordingly

ALASKA STATE LEGISLATURE



Conference Committee on HB 130

MEMO

To: Representative John Harris, Speaker of the House
Senator Ben Stevens, Senate President
From: Representative Jay Ramoras, Chair
Date: May 12, 2005
Re: Request for Limited Free Conference

The Committee has failed to agree to the following sections which are different in CSHB 130(FIN) and 24-GH1034X.A and SCSCSHB 130(FIN) and respectfully request authority of limited free conference.

House Version	Senate Version	
Page 5, line 31-Page 6, line 11	Page 5, line 31-Page 6, line 1-9	Section 3, subparagraph (n)
No reference	Page 7, line 3-15	Section 3, subparagraph (q)
Page 7, line 13-16	No reference	Section 4, subparagraph (c)(2)



Representative Jay Ramoras-Chair

Senator Tom Wagoner

Representative Bruce Weyhrauch

Senator Gary Wilken

Representative Woodie Salmon

Senator Johnny Ellis

The information attached to this memo is CONFIDENTIAL and/or privileged. It is intended to be reviewed initially by only the individual named above. If the reader of this Memo is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination, or copying of the information contained herein is prohibited. If you have received this in error, please immediately notify the sender by telephone and return this to the sender at the above address.

ALASKA STATE LEGISLATURE

Co-Chair,
House Resources Committee
Member
State Affairs Committee
Econ. Devel. Tour & Trade
Joint Armed Services Comm.



State Capitol, Room 104
Juneau, AK 99801-1182
(907) 465-3004 fax: 465-2070
Interim
119 N. Cushman St. Suite 207
Fairbanks, AK 99701
(907) 452-1088 fax: 452-1146

Representative Jay Ramras

Fax

To: Legis Legal
Fm: Jim Pound
Date: May 13, 2005
Re: SCSCSHE 130 (FIN) 24-GH1034P
Via Fax 465-2029 3 pages including cover

Please use the above reference bill, amend with the attached amendments and return in final as a Conference Committee CS.

Thanks

The information attached to this document is **CONFIDENTIAL** and/or privileged. It is intended to be reviewed initially by only the individual named above. If the reader of this document is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination, or copying of the information contained herein is prohibited. If you have received this in error, please immediately notify the sender by telephone and return this to the sender at the above address.

HB 130 Bill Comparisons

Senate CS for CS For House Bill 130(FIN)	CS for House Bill 130(FIN)am
P. 2, L. 23 - Language deleted.	P. 2, L. 24-25 - (10) ensure that the University of Alaska's Cooperative Extension Service is adequately staffed to meet the needs of the public.
P. 4, L. 8-10 - "however, an easement along tidewater reserved by the commissioner under AS 38.05.127 may not exceed 25 feet."	P. 4, L. 10 - Language deleted.
P. 6, L. 5 - (Added) (3) Parcel Number HA.CH.1001, Haines-Chilkoot;"	P. 6, L. 4 - (Added) "(2) Parcel Number MF.1002, Idaho Inlet;" P. 6, L. 6 - (Added) "(4) Parcel Number PA.1002, Mite Cove" P. 6, L. 9 - (Added) "(7) Parcel Number ST. 1002, Pelican;"
P. 6, L. 16 - "such"	
	P. 6, L. 16-19 - (Added) "If a borough is formed before July 1, 2009, and the borough does not select land described in this subsection before January 1, 2013, the land not selected by the borough shall be conveyed to the University of Alaska on June 30, 2013. The following land is subject to this subsection: (1) Parcel Number SD.1001, Beecher Pass; (3) Parcel Number CS.TL.1001, Three Lake Road; (6) Parcel Number CS.EW.1001, Earl West Cove; (8) Parcel Number SD. 1001, Thomas Place."
P. 7, L. 3-15 (Added) "(q) Notwithstanding (a) of this section, the state land identified in this subsection and described in the document entitled "University of Alaska Land Grant List 2005," dated January 12, 2005, may not be conveyed to the University of Alaska under this section if the land is included in a borough formed before July 1, 2009. If a borough is not formed before July 1, 2009, the land described in this subsection shall be conveyed to the University of Alaska on July 1, 2009. If a borough is formed before July 1, 2009, and the borough does not select the land described in this subsection before January 1, 2013, and the land not selected by the borough shall be conveyed to the University of Alaska on June 30, 2013. The following land is subject to the provisions of this subsection: (1) Parcel Number MF.1002, Idaho Inlet (2) Parcel Number PA.1002, Mite Cove; and (3) Parcel Number ST.1002, Pelican."	

HB 130 Bill Comparisons

Senate CS for CS For House Bill 130(FIN)	CS for House Bill 130(FIN)am
	P. 7, L. 13-16 - (Added) "(2) may offer second refusal to a nonprofit organization established under the laws of the state that is located in the same region as the land that is offered for sale and that has been established for the purpose of managing, developing, selling, or using land consistent with historic uses."



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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 4, 2005

The Honorable John Harris
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Harris:

Under authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that would provide for the conveyance of approximately 260,000 acres of state land to the University of Alaska (university), most of it over the next three years.

This bill is the product of more than a year of discussions between the Department of Natural Resources (department) and the university. Its major goal is to supplant the more time-consuming and expensive features of legislation enacted in 2000 (ch. 136, SLA 2000). Statutory changes enacted in ch. 136, SLA 2000 provided for a ten-year process during which the university would select up to 260,000 acres of state-owned land to be conveyed to the university for the primary purpose of generating income for the university. Unfortunately, that process has proved difficult, expensive, time-consuming, and subject to litigation. To date, no land has been conveyed to the university under ch. 136, SLA 2000.

Over the course of the past year, the university and the department have reached an agreement on land that may be conveyed to the university without unreasonably conflicting with programs associated with, and uses of, state land managed by the department. The land is identified in a document titled "University of Alaska Land Grant List 2005," dated January 12, 2005, a copy of which will be provided upon request. The bill I transmit today would provide legislative approval for the conveyance of that land to the university, thereby avoiding unnecessary delay and expense, and expediting a highly significant source of income for the university.

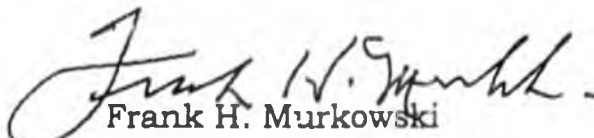
The bill also would establish a university research forest on certain land to be conveyed under the bill in 2055, or soon after that, that is located mainly in the Tanana Valley State Forest. The research forest would be used to advance research into forest practices, ecology, wildlife management, and recreation. Existing law authorizes the university to create a demonstration forest on land selected and

The Honorable John Harris
February 4, 2005
Page 2

conveyed under ch. 136, SLA 2000. This bill would repeal and reenact that law to establish the research forest without requiring a separate procedure. Because the land designated as the university research forest would not be conveyed to the university until 2055, it would be managed by the department until then under applicable state land use and forest management plans, and other applicable state law. While the research forest land is under department management, the department would be able to dispose of certain natural resources located on that land, so long as the disposal is consistent with the purposes of the research forest and complies with other applicable law.

I urge your prompt and favorable action on this measure, which will provide for the cost-effective and timely conveyance of land to the university in order to ensure a very significant and additional source of income for the support of public higher education in Alaska and to secure the benefits of a research forest.

Sincerely yours,


Frank H. Murkowski
Governor

Enclosure

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 130
 (H) Publish Date: 2/7/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title Draft University Lands Bill RDU _____
 Component _____
 Sponsor Rules Committee
 Requester Governor Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplier						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 Passage of this legislation would have no fiscal impact.

Prepared by: Sarah Gilbertson Phone 465-6137
 Division Legislative Liaison Date/Time 1/25/05 4:55 PM
 Approved by: Acting Commissioner Wayne Regelin Date 1/25/2005
 Agency Alaska Department of Fish & Game

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: HB 130
 (H) Publish Date: 2/7/05

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title: "An Act granting certain state lands to the University of Alaska..." RDU: CIVIL
 Component: Natural Resources
 Sponsor: Possible Governor
 Requester: _____ Component No.: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	18.6					
Travel	0.1					
Contractual	2.1					
Supplies	0.4					
Equipment	0.4					
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	21.6	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	21.6					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type- Do not abbreviate)						
TOTAL	21.6	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill is intended to expedite the conveyance of state land to the University of Alaska initiated under prior legislation, ch. 136, SLA 2000. The Department of Law does not anticipate a significant long-term fiscal impact from passage of this legislation; however, it is clear that court tests on the land agreement may be expected. It is estimated that approximately 100 attorney hours might be required in defending such challenges.

Prepared by: Kathryn Daughheteo, Director Phone 465-5427
 Division: Administrative Services Date/Time 1/11/05 11:28 AM
 Approved by: Kathryn Daughheteo for Gregg D. Renkes, Attorney General Date 1/11/2005
 Agency: Department of Law

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: HB 130
(H) Publish Date: 2/7/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Natural Resources
Title: Grant of Lands to the University of Alaska RDU: Resource Development
Component: Title Acquisition and Defense
Sponsor: Rules
Requester: Governor Component No.: 2459

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	72.0	72.0	72.0	0.0	0.0	0.0
Travel	2.5	2.5	0.0	0.0	0.0	0.0
Contractual	300.5	236.7	5.5	0.0	0.0	0.0
Supplies	5.0	5.0	5.0	0.0	0.0	0.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	380.0	316.2	82.5	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (***)						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	380.0	316.2	82.5	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	380.0	316.2	82.5	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time	1	1	1	0	0	0
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill requires DNR to convey title to 260,000 acres of specifically identified parcels to the University of Alaska by June 30, 2007. Conveying the title (including title search, reserving easements, reserving navigable waters, and resolving any title problems) requires staff time to prepare legal descriptions, determine condition of title and resolve problems that are discovered, prepare conveyance documents and update the state's computerized records system. Because of these requirements, and due to a shortage of existing trained staff, contractual monies have been requested to outsource the title work to private contractors. It is anticipated that one full-time staff position will be necessary:

One (1) Natural Resource Manager I for 3 years (FY06, FY07 and FY08) at a cost of \$72,000/year, to coordinate, issue title contract and oversee the work of the contractors, to serve as the point of

Prepared by: Bob Loeffler Phone 269-8625
Division: Mining, Land and Water Date/Time 1/12/2005
Approved by: Tom Irwin, commissioner Date 1/12/2005
Agency: Natural Resources

(Analysis cont.)

contact for the project, coordinating with University staff, and reviewing the title research. This position will also be responsible for resolving any clouds on title issues.

Other costs include occasional travel to perform title research or survey inspection work. Contractual also includes office space rental (\$6,200 per person/year), phones, photo-copying, postage, etc. Supplies include basic office supplies and computer/software purchases.

This bill is intended to expedite the conveyance of state lands, including the mineral estate, to the University of Alaska by conveying to the Board of Regents by quitclaim deed those state lands identified for conveyance to the University in a document entitled "University of Alaska Land Grant List 2005." This "Land Grant List" includes lands that make up part of the Nenana oil and gas basin.

***Based on the subsurface information currently available, the Nenana basin is thought to be gas-prone. DNR believes that the gas potential of this basin ranges from moderate to good. The basin is also in close proximity to markets in Fairbanks. Andex Resources currently has an oil and gas exploration license for part of the Nenana Basin. It is impossible without further exploration to predict the exact fiscal impacts. However, the conveyance of part of the Nenana oil and gas basin to the University of Alaska could result in a significant new source of revenue and/or energy for the University with a corresponding decrease in general and permanent fund revenues.

There is a similar but lesser impact from transferring the surface and subsurface from other lands that DNR would otherwise sell or lease. That is, the Department anticipates an unspecified decrease in future revenues from the loss of these lands.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: HB 130
 (H) Publish Date: 2/7/05

Revision Date/Time (Note if correction): _____ Dept. Affected: University of Alaska
 Title: University Lands RDU: Statewide Programs & Services
 Component: Statewide Services
 Sponsor: House Rules Committee
 Requester: Governor Murkowski Component No. 730

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual	500.0	250.0	250.0	250.0	250.0	250.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
TOTAL OPERATING	500.0	250.0	250.0	250.0	250.0	250.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type - Do not abbreviate)	500.0	250.0	250.0	250.0	250.0	250.0
TOTAL	500.0	250.0	250.0	250.0	250.0	250.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

In the short term (6 years) this bill would provide very little operating revenue, due to the fact that the funding resulting from this bill is deposited into UA's Land Grant Trust Fund (LGTF, an endowment that has a payout policy similar to the POMV principles i.e., 5% of the prior five year endowment average), however in the long term, after substantial additions to the LGTF endowment UA can see modest operating revenue i.e., in approximately 20 years UA anticipates annual investment earnings on new land sales to reach 1% of state general fund support or \$2.6M.

UA Land Management will add minimal staff to accomplish management of the new lands as this land transfer would roughly replace land inventory available for sale. Land Management operating costs are already considered in the net revenue projections.

Prepared by: Pat Pitney, Associate Vice President Phone: _____
 Division: Planning and Budget Development Date/Time: 2/4/05 2:18 PM
 Approved by: Pat Pitney, Associate Vice President Date: 2/4/2005
 Agency: Planning and Budget Development

**Annual Land Sales Investment Endowment
(All Figures x\$1,000)**

<u>Fiscal Year</u>	<u>UA LGTF Endowment Annual Additional Principle</u>	<u>UA LGTF Endowment Cumulative Increment</u>	<u>UA Annual Operating Revenue (Based on UA LGTF endowment using POMV principles 5% of prior 5 year endowment average)</u>
FY2006	2,000.0	2,000.0	0.0
FY2007	3,000.0	5,000.0	0.0
FY2008	4,000.0	9,000.0	30.0
FY2009	5,000.0	14,000.0	100.0
FY2010	5,000.0	19,000.0	220.0
FY2011	5,000.0	24,000.0	390.0
FY2012	5,000.0	29,000.0	610.0
FY2013	5,000.0	34,000.0	850.0
FY2014	5,000.0	39,000.0	1,100.0
FY2015	5,000.0	44,000.0	1,350.0
FY2016	5,000.0	49,000.0	1,600.0
FY2017	5,000.0	54,000.0	1,850.0
FY2018	5,000.0	59,000.0	2,100.0
FY2019	5,000.0	64,000.0	2,350.0
FY2020	5,000.0	69,000.0	2,600.0

University of Alaska Land Grant List 2005



Alaska Department of Natural Resources
January 12, 2005

Overview of The Land List

This section provides a general description of the Land List and a table containing specific information related to the parcels in the Land List.

Geographic Distribution.

Most of the land proposed for transfer to the University of Alaska is in the Northern and Interior area of the state. This is primarily because two large parcels — the University Research Forest and the Nenana Oil and Gas Basin are in the Interior. Both South-central and Southeast have considerably smaller amounts of state land.

- **Northern/Interior.** Most state land on the Land List occurs in the Northern region, which comprises 202,776 acres or 78.0% of the total acreage. Most of this land is associated with oil and gas (90,000 acres) and coal (16,000 acres) resource values, or are intended for educational/research functions (87,784 acres). The oil and gas tract is situated west of Nenana and the coal tract, within an area known as 'Jarvis Creek', which is situated south of Delta Junction. Tracts with an intended education function are associated either with forestry research in the proposed University Research Forest (a part of today's Tanana Valley State Forest) and the Tok Research Forests (55,835 acres) or with watershed research in the Caribou and Poker creeks watersheds north of Fairbanks (24,250 acres). There is a small amount of investment properties in the Northern region, which are primarily intended for residential, commercial, or industrial development.
- **Southcentral.** South-central tracts total 17,110 acres (6.6% of the total) and consists of mostly of investment properties near the Willow-Houston (1,730 acres) and McCarthy (12,500 acres) areas and some educational properties (2,880 acres at the Kodiak Launch Facility).
- **Southeast.** Southeast, with 40,114 acres or 15.4% of the total, consists largely of remote tracts and areas around communities, which have mostly settlement, general recreation, and some limited forestry values. These tracts are scattered throughout Southeast Alaska, extending from the Lynn Canal north of Juneau to Duke and Kelp Islands south of Ketchikan. Most of these tracts are situated within Prince of Wales Island or near the communities of Wrangell, Pelican, Sitka, and Tenakee Springs. Only a small amount (12 acres) of education properties occur in the Southeast (a research facility in Juneau and the Sitka Campus of the University).

Parcel Description

The table that follows gives a brief description of the each parcel proposed for transfer. It describes Investment and Oil and Gas tracts geographically by the three regions of Northern/Interior, South-central, and Southeast. A description of Educational Properties follow this listing. The table contains the following information: parcel number, parcel

name, acreage, and a column titled 'Comments'. The Comments column indicates the general location of each parcel, describes the main features of the parcel, indicates its possible use, and indicates the land use designation(s) for the parcel based on existing DNR land use plans. The land use designations contained in the DNR land use plans do not apply to the land after it is transferred to the University. Generally, the 'Investment Properties' parcels have been selected based upon their development potential and are designated in DNR land use plans for multiple use, settlement, or public recreation. These plan designations are italicized in the table.

This table is linked to the maps that follow the Land List. Parcel numbers and names are the same in the land list, table, and maps.

Summary of Parcel Resource Values

- Nenana Oil and Gas Tract (90,000 acres)

A 90,000 acre tract of state-owned land with oil and gas potential within the Nenana Basin is proposed for conveyance. This basin has a high probability for presence of gas source, and a high probability that reservoir quality rocks are also present. This tract excludes previous state subdivisions and DNR remote recreational cabin staking areas. Although the tract includes the remote recreational cabin staking area known as Teklanika II, where staking is still underway, buffers of state land will be retained by DNR before this tract is conveyed to the University. The area is part of the Oil and Gas License owned by Andex Corporation, and the land will be transferred subject to the License.

- Investment Properties *other than* in Southeast (39,222 acres)

Lands proposed for transfer include 39,222 acres of state land within the South-central and Northern/Interior regions that are considered to have investment potential. Certain of these tracts are probably best suited for commercial or industrial development; examples include the tracts along the Dalton Highway. The majority are probably best suited for some form of residential development, either for rural subdivisions near community areas (Willow Creek Road and Frying Pan Lake) or for remote recreational development (Lake Snohomish and Wien Lake).

The Jarvis tract provides a coal production potential. A 16,000-acre area near Jarvis Creek occupies the easternmost sub-basin of the Nenana Basin, a coal trend that holds the third largest coal reserve in Alaska. Identified resources are 75 million short tons with a hypothetical resource of 175 million short tons. The areas of Mental Health Trust Land and active mining claims are excluded from the tract. The 2,560 acres of coal leases would be conveyed, subject to the continuation of the lease for the period of their duration.

- Southeast Alaska (40,114 acres)

40,114 acres of state land in Southeast Alaska are to be conveyed. Because the state owns only a small amount of land scattered throughout Southeast, these tracts are comparatively small in size and are distributed throughout Southeast. Most of these tracts were acquired by the state for community and recreational development and may be developed by the University for community or remote recreational settlement; examples include state land at Hollis, Ketchikan, or Edna Bay. There are also a few that have commercial potential; examples include Harris Road Junction, Ward Cove, El Capitan South, and Idaho Inlet, although most of these could also be used for residential purposes. A limited number of tracts have commercial timber potential. The latter are not considered essential to the existing DNR Southeast Alaska value-added forestry program.

- Educational Properties (90,676 acres)

This category includes twelve properties that are either important to current University educational or research programs or that can be developed for such programs. Their primary purpose is educational, not for revenue-generation. These state land tracts occur in the Northern Region, except for the Sitka Campus, Auke Weir tracts in Juneau, and the Kodiak Launch Facility. Two tracts constitute the bulk of the acreage in this category: the Caribou-Poker creeks watershed and the proposed University Research Forest. The former, consisting of about 24,250 acres is located north of Fairbanks and is used exclusively by the University for hydrologic research. The University Research Forest includes land currently within the Tanana Valley State forest. It is 51,820 acres and is situated southwest of Fairbanks. This acreage of this parcel constitutes the bulk of the Educational Property acreage.

The University Research Forest will be retained and managed by DNR for a period of 50 years, after which it will be conveyed to the University. This will allow DNR to continue to manage the public uses such as recreation and hunting, and to continue the commercial timber harvest operation for this period of time. However, all management activities are to be consistent with the research needs for the Forest. This Forest will be one of the country's largest university-related forests and may be an important asset for University forest-related research.

Public Access

Public access is retained across the state land conveyed to the University. DNR has identified known access routes, including Omnibus Roads, existing state or federal rights-of-way, and RS2477 trails). These routes are depicted on the parcel maps. Public access is also been retained along coastlines, navigable rivers and lakes, routes traditionally used by the public for access, and along section-line easements. Except for section line easements, these access routes are depicted on the parcel maps.

On-line information and Contact Information

This report, including the parcel maps, may be viewed at the DNR website:
<http://www.dnr.state.ak.us/>

For general information regarding the Land List, contact either Bob Loeffler or Dick Mylius (269-8600) in Anchorage. For more detail on specific parcels, contact Bruce Phelps at 269-8592 in Anchorage or email: bruce_phelps@dnr.state.ak.us

Department of Natural Resources
University Land Transfer
Factsheet
February 4, 2005

Introduction

An academically strong and financially secure state university system is a cornerstone of the longer-term development of a stable population and of a healthy, diverse economy in Alaska. It is in the best interests of the State and the University of Alaska that the University own a significant and substantial portfolio of income-producing land to provide financial support for public higher education in Alaska. It is also in the interest of the State and the University to provide the University with land to encourage and foster natural resources education and research important for Alaska.

SB 7 (Chapter 136, SLA 2000)

In 2000, the Alaska Legislature passed Senate Bill 7, which provided a process for the University of Alaska to select and eventually own 260,000 acres of State land. Unfortunately, implementing the bill proved difficult, expensive, time-consuming, and subject to litigation. To date, no lands have been conveyed to the University to implement the law. In addition, uncertainty over what State land the University may or may not select created a disincentive for investment and development, and the 10-year conveyance process had the potential to discourage development and use of State land. The fiscal note that accompanied SB 7 envisioned a 10-year process that would cost \$17 million.

By identifying specific lands to transfer to the University, this proposal implements the intent of SB 7. It transfers the same amount of land, 260,000 acres, but does so in a way that is less expensive and quicker. All but one of the 71 parcels in the Governor's proposal will be transferred within three years at a cost that is less than 5% of the SB 7 estimate. This proposal also eliminates the potential disincentive to development, because once the legislation passes, the eventual land manager is immediately clear. Finally, restrictions in SB 7 made it difficult for the University to gain land with significant income producing potential. The Governor's 260,000-acre proposal provides much better income-producing land than was available under SB 7.

Lands to be Transferred to the University of Alaska

The lands proposed to be transferred to the University are summarized below:

Type of Property	No. of Parcels	Approximate Acreage
Investment Properties, Southeast Alaska	44	40,102
Investment Property, Other than Southeast	14	39,222
Nenana Basin Oil and Gas	1	90,000
Educational Properties	12	90,676
Total:	71	260,000

In developing a list of investment properties to be transferred, the Department of Natural Resources (DNR) and the University of Alaska focused primarily on lands that had been designated settlement, general use, or general public recreation in DNR land-use plans. The list does not include any lands designated for timber harvest in Southeast Alaska because conveying these lands to the University would decrease DNR's allowable cut there. Nor does it include lands tentatively scheduled for sale by DNR within the next five years, as conveying these lands would leave DNR unable to meet its near-term land sale goals. The list does not include lands on which municipal selection applications have been filed. The list does not include any producing oil and gas or mineral properties, nor legislatively designated State Game Refuges, Critical Habitat Areas, Parks, or Public Use Areas.

The 44 investment parcels in Southeast Alaska are expected to have the greatest near-term income potential. Because of the limited State land in Southeast Alaska, these tracts are comparatively small and are distributed throughout the area.

The remaining investment properties, distributed throughout the State, include some lands suited for commercial or industrial development, but the majority is suited for residential or recreational development.

The Nenana Basin Oil and Gas property is a single 90,000-acre tract within the Nenana Basin. It is located west of the Nenana River across the river from the City of Nenana. DNR and the University believe the tract has significant potential for gas development. The area is part of the Oil and Gas License owned by Andex Corporation. The tract would be transferred to the University of Alaska subject to the Andex license.

The 12 educational properties are intended to strengthen the University of Alaska's education and research programs. Most are located in the Fairbanks area. The largest is a 51,820-acre tract southwest of Fairbanks within the Tanana Valley State Forest. This area, which includes the Bonanza Creek Experimental Forest, would become the University Research Forest. It will be one of the largest university-related forests in the country and will be an important asset to the University for forestry and related research. For at least the next 50 years, DNR would continue to manage the public uses in this area, such as recreation, and would continue to use the area for commercial timber sales, consistent with the needs of the University Research Forest.

Land Transfer Process

Under the proposed legislation, DNR will transfer all but one of the parcels to the University of Alaska within three years of the bill's passage. During those three years, DNR will complete the required title search, and will reserve appropriate public access easements, navigable waters, etc. Actual authority for management will change on the date the deeds are recorded. The exception to the three-year transfer is the University Research Forest. As noted above, for the next 50 years, DNR will continue to manage the forest for commercial timber and public use in a manner consistent with the University's research needs. Finally, all transfers are subject to valid existing rights.

Summary — A Strong Financial Base

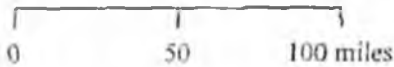
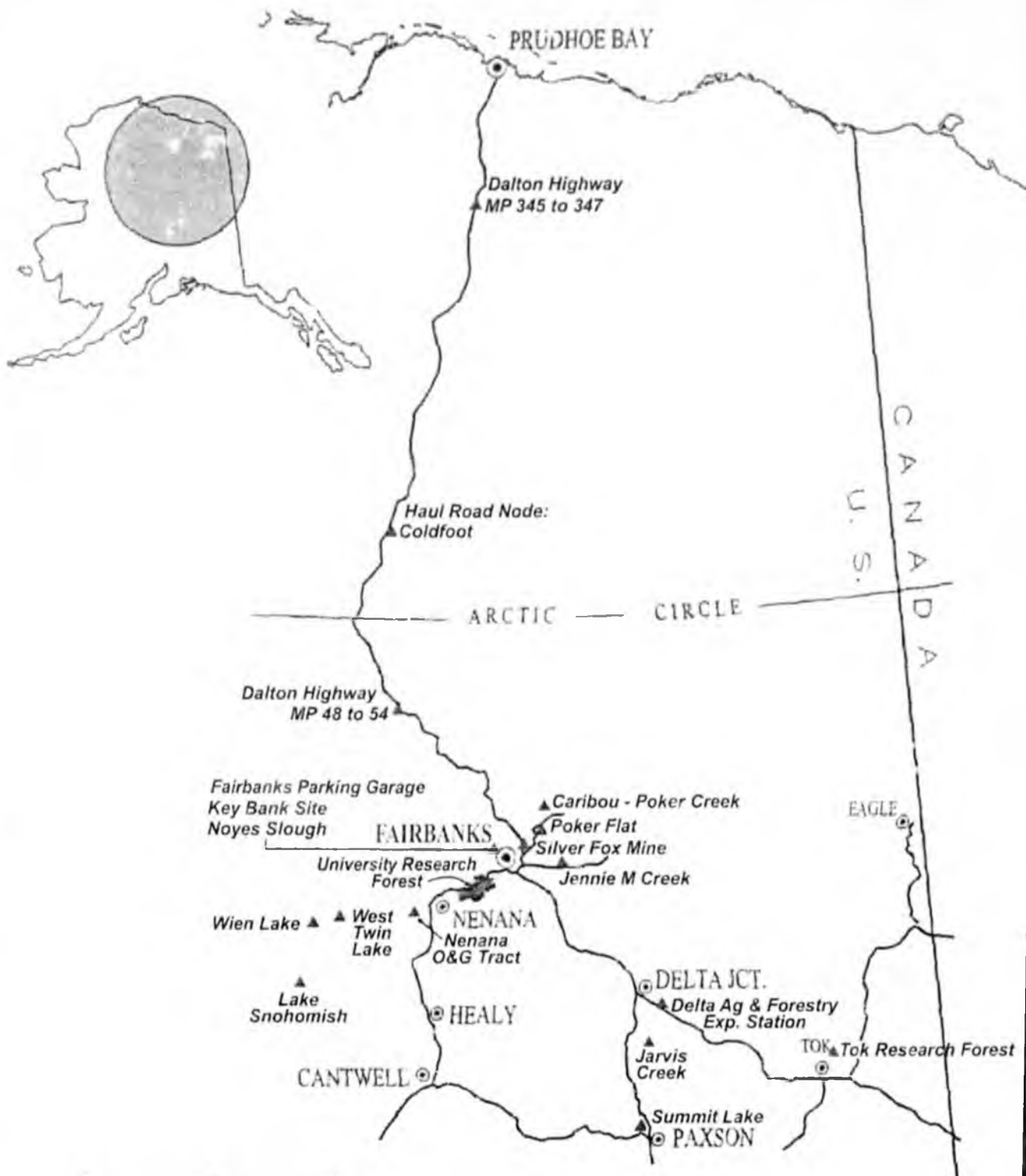
This transfer will provide the University with potential for near-term and long-term income. The investment properties — those in Southeast and elsewhere in Alaska — provide some near-term and medium-term revenue potential. However, it will take some time and effort to turn even the land with near-term income potential into revenue for the University. Despite the delay in creating income for the University, this land will strengthen the University's financial base.

The Nenana Oil and Gas Tract provides important long-term income potential. If marketable quantities of gas are found and developed on that tract, there is the potential for a significant, multi-year income stream to the University.

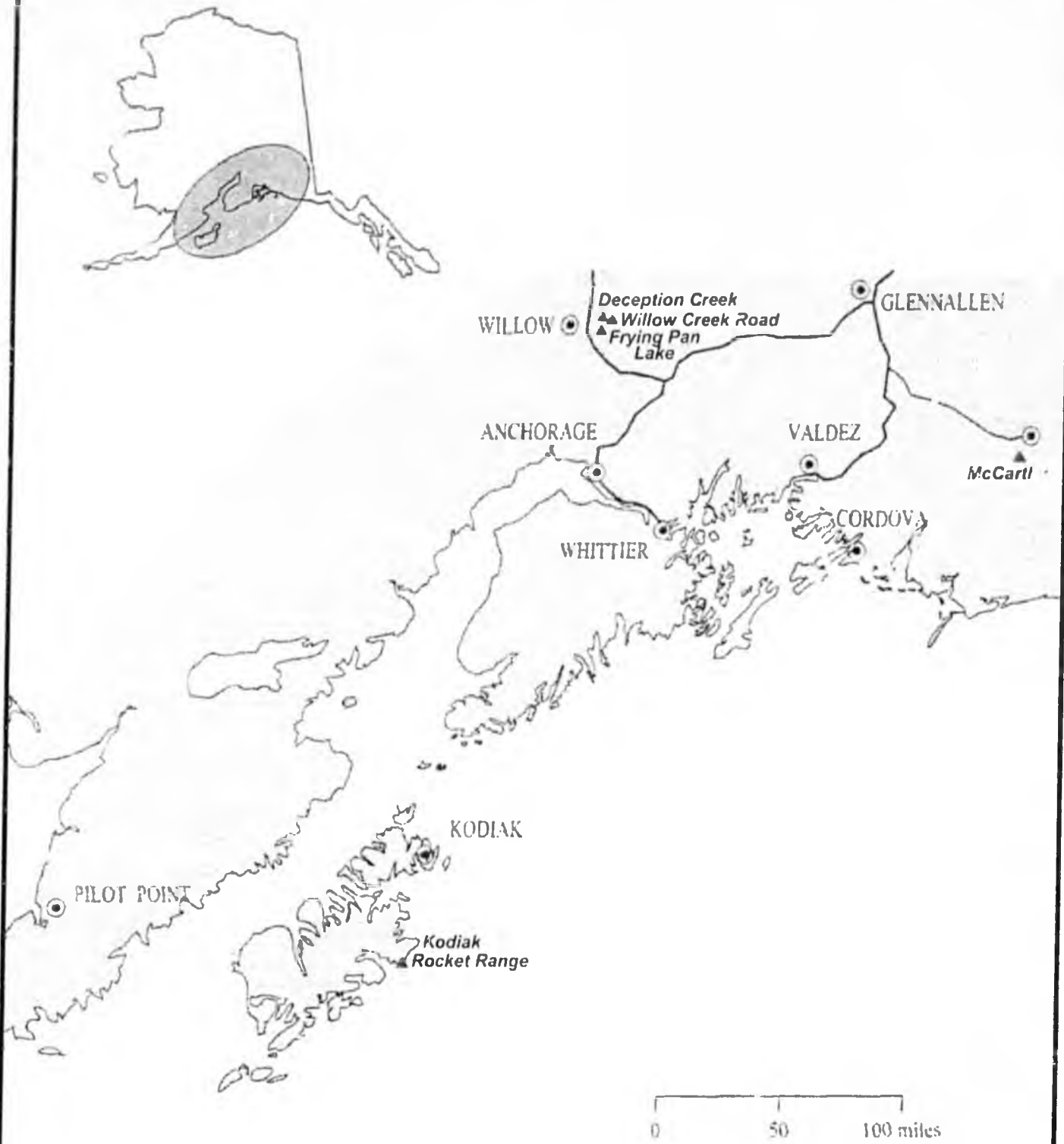
Summary — A Strong Educational Base

The educational properties strengthen the University's educational mission. The University Research Forest and other properties, such as the Caribou-Poker Creek Watershed, provide dedicated land for University education and research. Ownership by the University strengthens its natural resources education and research missions.

NORTHERN - INTERIOR REGION



SOUTHCENTRAL REGION



SOUTHEAST REGION



HAINES

William Henry Bay
Chilkoot!
Ivanhoe

JUNEAU

Auke Weir
Lynn Canal
Sumdum
Lena Creek

NORTHERN SOUTHEAST

Excursion Inlet
Pelican
Tenakee Springs
Idaho Inlet
Mite Cove

SITKA

Middle Island
Sitka Campus
Biorka Island
Warm Springs Bay
Port Conclusion
Port Alexander
Lisianski Peninsula

KUIU ISLAND

Rowan Bay

PRINCE OF WALES ISLAND

Coffman Cove
Edna Bay
El Capitan North, South
Hollis
Harris Road Junction
Hook Arm
Moir Sound/Nowiskay Cove
Naukati Sound
Port Delores
Thorne Bay

KETCHIKAN

Duke Island
Kelp Island
Leask Cove
Moser Bay
Ward Cove
Cleveland Peninsula
Neets Creek

PETERSBURG

Beecher Pass
Favor Peak
Three Lake Road
Read Island
Whitney Island

WRANGELL

Earl West Cove
Olive Cove
Thoms Place



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University of Alaska
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Parcel Descriptions

Parcel #	Name	Approx Area in Acres	Description/Plan Designation
Non-producing Oil and Gas Resources			
OG NE.1001	Nenana Gas Basin Tract	90,000	This parcel has oil and gas potential. Situated within the Nenana geologic basin, this area has a high probability for the presence of gas source rocks and a high probability that reservoir rocks are also present. Parcel excludes previous state subdivisions and DNR remote staking areas, and a current DNR remote staking area (Teklanika II). Buffer areas are to be created around this staking area, reducing the size of the parcel to about 90,000 acres. Public access, including future road access to state lands to the north and west of the parcel, are retained. <i>Wildlife Habitat and Forestry</i> .
	Oil and Gas Resources, Subtotal	90,000	
Investment Properties			
Northern/ Interior Region			
DH.IS.1001	Dalton Highway MP 48 to 54	1,360	This parcel is located adjacent to the south bank of the Yukon River and the Dalton Highway. It is rather rugged topography, but has road access and views of the Yukon. <i>Public Recreation and Wildlife Habitat</i> .
DH.SR.1001	Dalton Highway MP 345 to 347	880	This parcel is south of the old Sagwon airstrip, includes the Sagavanirktok River, the Dalton Highway, and the Alyeska pipeline. It is located near the intersection of winter trails to Umiat, proposed for a major road. The APSC 8" fuel gas line runs through the property. May be subject to AS 19.40.200(b)(2). <i>Transportation Corridor Land</i> .
MA.HR.1001	Haul Road Nodes-Coldfoot	1,700	This parcel includes portions of the Coldfoot development node on the Dalton Highway. <i>Settlement</i> .
M1.JC.1001	Jarvis Creek	16,000	This coalfield occupies the easternmost sub basin of the Nenana Basin, a coal trend that holds the third largest coal reserve base in Alaska. The coal bearing section of this field is about 2,000 feet thick. Identified resources are 75 million short tons with a hypothetical resource of 175 million short tons. Tract excludes Mental Health Trust Land and active mining claims are excluded.

Parcel Descriptions

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University of Alaska
Land Grant List 2005
Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
FA.JC.1001	Jennie M. Creek C	5	Situated near Fairbanks, this small parcel has good access and gentle to level slopes. It is situated within a residential subdivision. Zoned General Use. It occupies a small lot south of Chena Hot Springs Road 3 miles east of Two Rivers School. <i>No current classification.</i>
N1.LS.1001	Lake Snohomish	740	Parcel is located 10 miles southwest of the airstrip at Lake Minchumina, with access by trail. Terrain is flat, surrounding Lake Snohomish. <i>Settlement.</i>
NZ.FA.1003	Noyes Slough (See Fairbanks Area Parcels map)	7	This parcel was added at the request of the University in order to resolve an old title problem created when DOT moved College Road to its current location. <i>No classification.</i>
N5.RS.1001	Summit Lake (Richardson Highway)	960	This parcel includes areas on the east and west side of Summit Lake, situated west of the Richardson Highway. This is a very popular winter recreation area, especially for snowmachiners. DNR land disposals are scheduled for other parts of lake. <i>Public Recreation and Wildlife Habitat. Adjacent areas are designated Settlement.</i>
FA.NS.1001	West Twin Lake	1,560	Situated in a remote area west of Nenana, this lake is considered to have recreation use potential and some recreational development already exists. Access via float plane or ATV. DNR land disposals are scheduled for other areas along the lake. <i>Settlement.</i>
N5.WL.1001	Wien Lake	1,780	This is a fly-in lake with access via snowmachine in winter located in the Kantishna area. Some property has been sold in the area. It is a popular Fairbanks recreation area. DNR land disposals are scheduled to occur along other parts of lake. <i>Settlement.</i>
	Northern/ Interior Region Subtotal	24,992	

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Parcel #	Name	Approx. Area in Acres	Description/Plan Designation
Southcentral Region			
SU.DC.1001	Deception Creek	280	Situated east of Willow, this fairly level parcel is covered with mature birch with some spruce, and has some wetlands in its western part. There is road access to this parcel by way of state-maintained 4 Mile Road off the Willow Creek Road. ATV trails also provide some access. It is part of the land previously reserved for the Willow Capital Site. <i>Settlement.</i>
SU.FP.1001	Frying Pan Lake	450	Situated southeast of Willow, this lake has recreational potential for picnicking, swimming, and camping. It is located about a mile from the Parks Highway. It is part of the land previously reserved for the Willow Capital Site. <i>Settlement.</i>
MA.MC.1001	McCarthy-Nizina	12,500	This large parcel is situated near the community of McCarthy, situated within the National Park. Considered good for settlement. Excludes area of possible land exchange and critical salmon spawning areas at Long Lake. <i>Wildlife Habitat and Public Recreation.</i>
SU.WC.1001	Willow Creek Road	1,000	Parcel is near Willow Creek Rd. and is part of the land formerly reserved for the Willow Capital Site. Tract is considered good for settlement. Deception Creek runs through this parcel. <i>Settlement.</i>
	Southcentral Region Subtotal	14,230	
	Investment Properties Total	39,222	

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
Southeast Region			
SD.1001	Beecher Pass	1,193	Parcel is located on Kupreanof Island, southwest of Petersburg. It consists of a gently sloping coastal plain, covered in parts by spruce bog. The steeper slopes inland contain dry uplands and are vegetated with hemlock and spruce forest. The parcel also contains part of a previous state subdivision (ASLS 81-9); areas within the subdivision remaining in state ownership and designated as Settlement are included. Another state subdivision (ASLS 81-8) occurs to the east. The parcel is considered appropriate for settlement. Beecher Pass State Park is situated immediately to the south. <i>General Use and Settlement.</i>
PA.10C2	Biorka Island	438	This parcel, situated on Biorka Island southwest of Sitka, consists of two separate parts. The westerly parcel is situated northeast of an FAA radar facility, with access provided by a road which, in turn, accesses a landing/beach area for the island situated to the east. The easterly part is situated east of the main part of Biorka Island and is joined to it by a narrow beach area. Both parcels are flat and are covered by forested wetlands. Considered appropriate for settlement (remote cabin sites). <i>General Use.</i>
KT.1002	Cleveland Peninsula	4,055	This parcel consists of three distinct parts, all of which occupy the northern part of the Cleveland Peninsula, located northwest of Ketchikan. The two large parcels occupy uplands at Spacious Bay and Sunny Bay, both of which are important recreational destinations. The third parcel occurs at Square Island, within Spacious Bay. The two larger parcels support hemlock and spruce along the coast and forested wetlands further inland. Both parcels contain commercial forest resources, most of which occur in the more inland, higher elevations. Square Island is a gently sloping and flat island covered by forest and muskeg, except for coastal rainforest along and near the coast. There is limited use of Square Island for recreation purposes. Considered appropriate for remote recreation or remote settlement. <i>General Use.</i>

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
PW.CC.1001	Coffman Cove	1,984	Parcel is situated in and near the community of Coffman Cove, on POW Island. It consists of three separate units of land, each of which is considered good for settlement or recreational development. University already owns land in area and this will infill around their existing holdings. Coffman Cove has protected waters and road access. <i>Settlement</i> .
CS.DI.1001	Duke Island	1,440	Parcel adjoins the southern coast and is generally flat, and has several good anchorages. It is considered best for commercial development related to marine services and associated residential use. It is covered with mining claims. In selection status. <i>General Use</i>
CS.EW.1001	Earl West Cove	3,564	Situated southeast of Wrangell, this parcel is considered good for land disposals and/or timber harvest. There is a hemlock and mixed hemlock/spruce forest that contains some commercial timber. An existing road system accesses previously harvested areas. An abandoned LTF provides water access. A crude ramp system also exists. <i>General Use</i> .
PW.ED.1001	Edna Bay	250	Parcel is situated in the community of Edna Bay, on POW Island. It includes fairly flat areas that are considered suitable for settlement. Parcel is near other University owned land. Roads access the parcel. Public docks are available and have improved the anchorage. <i>Settlement</i> .
PW.EC.1001	El Capitan North	1,847	Parcel occupies areas considered suitable for settlement and community recreation because of road access, terrain, and views of the protected waterway and Twin Lake. Parcel adjoins El Capitan Passage and Twin Island Lake. Parcel excludes Twin Island Lake and its islands. <i>Settlement</i> .
PW.ES.1005	El Capitan South	865	Parcel occupies most of El Capitan Island, which is strategically located in the protected waters of Sea Otter Sound. A small island, situated to the west, is also included in this parcel. Tract includes land suitable for commercial recreation and residential development. A particularly suitable site for commercial recreation development occurs in a sheltered bay on the south end of the island. Good anchorages exist. <i>Settlement/Commercial</i> .

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Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/Plan Designation
NS.EX.1002	Excursion Inlet	477	This parcel, which consists of four separate parts, is situated north and east of the current subdivisions in Excursion Inlet. Access is provided by water, local roads, and an old Forest Service road. Topography varies from generally flat to moderately sloped. Vegetation consists of hemlock and spruce on the better drained soils and by wetlands in the wetter areas; portions of the parcel may be de-vegetated. Considered suitable for remote settlement. This parcel is the last holding of state land in Excursion Inlet. <i>Settlement and General Use.</i>
SD.1001	Favor Peak	1,290	This parcel is located on the southeastern tip of Mitkof Island, from Banana Point to Dry Strait. It is served by a well established road system (Forest Service Road 7). Several areas of commercial forest were harvested in the early 1970s and are dispersed throughout the unit. Areas of the parcel that adjoin the coast may be suitable for settlement. Areas north of the road are fairly steep, and contain areas of hemlock and spruce. <i>General Use.</i>
HA.CH.1001	Haines - Chilkoot	60	This parcel actually consists of four small individual tracts, all of which are situated south of the community of Haines. All adjoin existing residential areas and are accessed by road. <i>Settlement.</i>
CR.1001	Harris Road Junction	320	Parcel consists of fairly flat, vegetated terrain consisting of hemlock and spruce. It is situated along the main island road west of the community of Hollis, at its intersection with the Harris River. In selection status. Potential exists for residential development. <i>Settlement/Commercial.</i>
PW.HO.1001	Hollis	622	Parcel is situated in the community of Hollis, on POW Island. Parcel consists of three separate parts, two of which have direct road access (Klawock-Hollis highway) and adjoin areas of existing development. Land is suitable for residential development and, in some locations, commercial use. Previous state subdivisions occur throughout the Hollis. <i>Settlement.</i>
PW.HK.1001	Hook Arm	1,280	Parcel is situated on the west side of Dall Island, southwest of POW Island. This parcel has a good anchorage, high fish and game values, offshore commercial fishing activities, and resource development activities planned nearby. Tract may be suited for remote residential development or commercial use. In selection status. <i>General Use.</i>

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Parcel #	Name	Approx. Area in Acres	Description/Plan Designation
MF.1002	Idaho Inlet	539	This parcel is situated on the east side of the Idaho Inlet, southeast of Elin Cove. It has gentle to moderately sloping terrain near the coast and steeper terrain further inland. Parcel is heavily vegetated by spruce and western Hemlock, with scattered wetlands. A secure anchorage provides protection from northerly winds. This tract is considered a strategic site, allowing access to nearby active fishing and transportation waters. Considered appropriate for commercial recreation, general commercial, or remote residential. <i>General Use</i> .
JU.NL.1001	Ivanhoe	120	This parcel is comprised of patented mining claims in a known mineralized area north of Juneau. <i>Mineral and Habitat</i>
CS.KI.1001	Kelp Island	535	Kelp Island adjoins Duke Island and of the two locations, the best anchorage is situated here. It occupies a strategic location near a major navigation route. It would have the same type of commercial marine services and ancillary residential uses as Duke Island. In section status. <i>General Use</i> .
CS.LE.1001	Leask Cove	460	Situated in upper George Inlet, north of Ketchikan, this parcel occupies relatively flat coastal areas, much of which has been previously harvested, and which has some potential for remote settlement. Most of the commercial forested area outside of the existing subdivision is in rotation. The cove provides a good anchorage. There are several previous state subdivisions nearby. <i>Settlement and General Use</i> .
JU.LM.1001	Lena Creek	610	This parcel is located near Lena Creek, north of downtown Juneau. This parcel excludes an approved municipal conveyance of approximately 100 acres to the CBJ. The exact location of this CBJ tract must still be surveyed, so the area conveyed to the UA is somewhat uncertain at this time. The parcel map indicates the general location. <i>Transportation, Settlement, Public Recreation-Dispersed</i> .

University of Alaska
Land Grant List 2005
Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
ST.LS.1001	Lisianski Peninsula	1,443	This parcel occupies the remaining areas of state land on the Lisianski Peninsula, situated directly north of Sitka. Portions of the parcel are relatively flat, although the central and southern parts are quite steep. Within areas along the coast and in some inland areas, hemlock and spruce forests predominate; other areas are occupied by scattered wetlands. Water access is available from Cedar Cove; a forest service road accesses the central portions of the parcel. Adjacent land to the north is part of the Tongass National Forest, MH Trust lands are situated to the east. Considered appropriate for remote residential. May have some limited commercial timber potential; some areas of previous harvest exist. <i>General Use.</i>
JU.1002	Lynn Canal	1,358	This parcel occupies a fairly flat area on the west side of Lynn Canal, north of Juneau, that is heavily vegetated with a mixture of wetlands in poorly drained areas and Western Hemlock and Sitka Spruce in drier, better drained sites. It is bounded on the west by the Tongass National Forest. The parcel is easily visible from the marine highway route in Lynn Canal, and is considered suitable for commercial recreation or settlement. <i>Public Facilities-Transfer, Public Recreation and Tourism-Undeveloped.</i>
ST.1001	Middle Island	665	This parcel includes the remaining state lands on Middle Island that are not part of the previous state subdivision (ASL S 87-129) or conveyed to the City/Borough of Sitka or the Mental Health Trust Authority. Middle Island is situated west of Sitka. The parcel occupies the central part of Middle Island, although portions front the water on the northwest and south. Except for areas near the coast on the south and northwest, which are considered suitable for settlement, the remainder of the parcel contains steep terrain. Forested wetlands cover most of the less severe terrain, while western Hemlock and Sitka Spruce cover the remainder. <i>Settlement, General Use.</i>

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University of Alaska
Land Grant List 2005
Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/Plan Designation
PA.1002	Mite Cove	320	This parcel occupies nearly 200 acres at the northeastern tip of Yakobi Island, at the end of Lisianski Inlet where the Inlet enters Icy Strait. Pelican is the nearest community. Mite Cove is a regionally significant anchorage that is used by both recreational and commercial boaters. It is vegetated with Western Hemlock and Sitka Spruce, and is characterized by steeply sloping terrain throughout most of its eastern and southern parts. Areas along the coast in the northern part of the parcel and near/adjacent to Mite Cove are relatively flat. Considered appropriate for remote residential or commercial recreation marine services. <i>Public Recreation and Tourism-Undeveloped.</i>
PW.MS.1001	Moir Sound/Nowiski Cove	160	This small parcel occupies patented federal mining claims. It may be suitable for a variety of uses, including timber harvest and settlement. It is situated on Sound on POW Island. <i>General Use.</i>
CS.MB.1001	Moser Bay	906	Parcel is steep in eastern section, but the western portion, adjacent to the coast, can accommodate settlement. Other residential use occurs nearby. Access is by water and it is relatively close to Ketchikan. Contains areas of commercial timber that may be suitable for selective logging. <i>Settlement.</i>
PW.NA.1001	Naukati Sound	937	Situated in the community of Naukati on POW Island, parcel occupies areas of generally flat land considered good for settlement. Development would be infill around current residential uses or adjacent to current road system. Road and water access. State land disposal is scheduled in Naukati. <i>Settlement and General Use.</i>
KT.1004	Neets Creek	1,500	Located at the head of Neets Bay northwest of Ketchikan, this parcel generally consists of a fairly flat area adjacent to the coast, two lakes, and the floodplain of Neets Creek. The valley walls are covered by a mixture of hemlock and spruce forests. The parcel may be accessed by either water or air, although previous logging roads are scattered throughout the parcel. A portion of the tract is used by a regional aquaculture association. Contains both previously harvest and available commercial timber (1,800 acres total). Considered appropriate for remote residential use; may have some commercial timber value. <i>General Use.</i>

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University of Alaska
Land Grant List 2005
Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
CS OV.1001	Olive Cove	450	Parcel occupies flat coastal plain vegetated by hemlock and spruce forest good for settlement. Adjoins an existing subdivision. Situated southwest of Wrangell on Zimovia Island. Direct water access to Zimovia Strait. <i>General Use.</i>
ST.1002	Pelican	851	This parcel occupies almost all of the remaining state land in and around the community of Pelican, on Lisianski Inlet. Portions of this parcel are relatively flat to moderately sloping near the coast or coastal valleys, but are steeply sloped in most of the remaining areas. There are two distinct parts of the parcel, the first part occupies areas north of this community, some of which are accessed by road. The other part is situated south of the community proper and access is only by water. Both parts adjoin Lisianski Inlet and are heavily vegetated with hemlock and spruce. A previous state subdivision, ASLS 80-183, is situated immediately to the south. <i>Public Recreation - Dispersed, Settlement.</i>
PA.1001	Port Alexander	267	This parcel contains some of the last remaining state land in and adjacent to the community of Port Alexander, situated at the southern tip of Baranof Island. Two parts adjoin the community to the west and east, while a third occupies an area southwest of the community. It consists of flat to moderately sloping terrain and is heavily vegetated by spruce and hemlock, with scattered wetland areas. Access is primarily limited to trails to the western and eastern parts, while the southern has good water access. Several small off shore islands are included in this parcel. <i>General Use Some areas of Public Recreation - Dispersed.</i>
PA.1001	Port Conclusion (See Port Alexander map)	10	This parcel occupies an area near the end of Port Conclusion, which is situated to the west of the community of Port Alexander. Except for an area near the coast, the parcel is steep and heavily vegetated with western Hemlock, Sitka Spruce, and by areas of forested pa.ustrine wetlands. Considered suitable for remote settlement. <i>General Use.</i>
PW.PD.1001	Port Delores	1,100	Port Delores is a protected anchorage with potential for commercial recreation and remote settlement. Some commercial timber exists in the interior of the parcel which may be accessed via Forest Service roads. <i>Settlement.</i>

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Parcel #	Name	Approx. Area in Acres	Description/Plan Designation
SD.1001	Read Island	706	Situated south of Cape Fanshaw, parcel consists of Read Island and two smaller islands. These occupy the entrance to Farragut Bay, an important commercial tour destination. Read Island is fairly flat, and except for a few small knobs that support dry uplands, the entire island is covered by wetlands. <i>Public Recreation and Tourism-Undeveloped.</i>
CS.RB.1001	Rowan Bay	665	Parcel occupies flat and gently rolling coastal plain adjoining Rowan Bay, on the west side of Kuiu Island. Considered good for timber harvest and remote settlement. There have been previous timber harvests. Direct water and road access. <i>General Use.</i>
SD.1001	Sumdum	5	This small parcel occupies the head of Safford Cove, and lies adjacent to a popular cruise ship, charter and recreational boat travel corridor to Endicott Arm. Considered a regionally significant recreational site. <i>Public Recreation - Dispersed.</i>
ST.1003	Tenakee Springs	346	This parcel consists of three distinct parts and constitutes the last remaining developable state land in Tenakee Springs. The first is situated at the end of the main area of community development near the ADOT/PF boat harbor. It abuts the harbor and is used for marine and other types of storage, and is fairly level and heavily vegetated. The second consists of a heavily vegetated, generally flat area that extends further east to Indian River and an old LTF. The third consists of an interior part within sections 15 and 22 situated eastward and upslope of the community, and a part within section 23 that stretches along the coast. This area, which is generally level and heavily vegetated, could be used for commercial and industrial development. <i>Public Facilities-Retain, Settlement-Commercial.</i>
SD.1001	Thoms Place	2,360	Situated south of the community of Wrangell, this parcel consists of fairly level to moderately sloping land situated to the west of the Thoms Place community. It is vegetated by hemlock and spruce forest. The unit adjoins Zimovia Strait, which is used as a route of the Alaska Marine Highway. A previous state subdivision and the Thoms Place State Marine Park exist to the south. Considered suitable for settlement. <i>Settlement, General Use.</i>

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Parcel #	Name	Approx. Area in Acres	Description/Plan Designation
PW.TH.1001	Thorne Bay	2,557	Parcel consists of three separate tracts, two of which have direct road access and are near the community of Thorne Bay. These are considered good for commercial/industrial development. The other adjoins an existing subdivision and has direct road access. <i>Settlement/Commercial.</i>
CS.TL.1001	Three Lake Road	640	Situated south of Petersburg, this parcel is near popular fishing streams and adjoins Three Lake Road. Portions of this parcel are previously harvested and are heavily vegetated. It has commercial as well as residential potential. <i>General Use.</i>
CS.WA.1001	Ward Cove	3	Small parcel adjoining Tongass Highway north of Ketchikan. This OSL parcel is believed to be part of an old cannery. <i>Settlement/Commercial.</i>
ST.1002	Warm Springs Bay	267	This parcel consists of the remaining state land in the southern part of the Warm Springs community, a popular recreation area for the Sitka community. Area is generally flat and is covered by a mixture of forested wetlands and spruce/hemlock coastal rainforest in the drier parts. Considered suitable for commercial recreation or remote settlement. Previous state subdivision exists on the north side of Warm Springs Bay. <i>Public Recreation - Dispersed.</i>
SD.1001	Whitney Island	316	This unit occupies the generally level southern end of Whitney Island, which is situated immediately west of Cape Fanshaw, an important commercial and recreational anchorage. Most of the island is covered by wetlands except for areas adjacent to the coast covered by spruce and hemlock forest where this parcel is situated. <i>Public Recreation and Tourism-Undeveloped.</i>
JU.1001	William Henry Bay	321	Parcel is situated on the west side of Lynn Canal, northwest of Juneau. It occupies the drainage of William Henry Creek in the northwestern part of William Henry Bay. Hemlock and spruce are the dominant vegetation. Areas adjoining the coast at the mouth of the creek are somewhat flat, but are steeper inland. Considered to have commercial recreation or remote settlement potential. <i>General Use.</i>
	Southeast Region Subtotal	40,102	

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Parcel #	Name	Approx. Area in Acres	Description/Plan Designation
Educational Properties			
JU.AU.1002	Auke Weir	6	Situated close to the UAJ campus along Auke Creek in Juneau, an anadromous fish stream, the parcel includes a fish weir and is suitable for academic and research projects of the UAJ. Includes existing UAJ facilities. <i>Public Recreation/Habitat</i> .
LG.PC.01	Caribou-Poker Creeks Drainage	24,250	Situated north of Fairbanks, parcel is currently used and administered by University for hydrologic and water quality research. Occupies portion of the current research watershed used by UA. <i>Watershed</i> .
MA.XS.1001	Delta Ag & Forestry Exp. Station	36.9	Parcel is currently patented to the UA (No. 15524) with restrictions on use to forestry and agricultural research, and contains a reverter. University wants to acquire unrestricted title to allow other uses. <i>Agriculture and Settlement</i> .
N2.FA.1004	Fairbanks Parking Garage (includes Court House conveyance)	2	Parcel is already conveyed. UAF agreed to "count" the acreage should there be a State Land Grant. Parcel was acquired by DOT/PF with federal funds. Provides addition to the University campus. <i>Not classified</i> .
NZ.FA.1004	Key Bank Site (See Fairbanks Area Parcels map)	1	This parcel adds land to UAF from an area of excess highway right-of-way. It was acquired by DOT/PF with federal funds; the University may be required to reimburse ADOT/PF, to compensate for the loss of federal highway funds. <i>Not classified</i> .
MA.KR.1001	Kodiak Rocket Range	2,880	This parcel occupies an area on southern Kodiak Island that includes the Kodiak Launch Complex. Portions of the parcel are used for grazing. Conveyance would be subject to the current Inter-agency Land Management Agreement for the Rocket Launch Facility and the grazing lease. Current access and public use areas are retained, including access to Fossil Beach. <i>Grazing, General Use</i> .
MA.PF.1002	Poker Flat (Special Use Area)	6,680	This is a large area under permit that the University has reserved for a buffer for its Poker Flat research activities. <i>Resource Management, Forestry, Mining, Public Recreation, Wildlife Habitat</i> .
MA.PF.1003	Poker Flat Lease	533	This area is under lease (ADL 414207) from the state and contains university-owned facilities. <i>Forestry, Mining, Public Recreation</i> .
MA.SF.1001	Silver Fox Mine	120	This proposal is adjacent to patented federal claims which the University owns in fee. Now used for UAF mining program. <i>Settlement</i> .

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Parcel #	Name	Approx. Area in Acres	Description/Plan Designation
ST.1001	Sitka Campus	90,676	Parcel contains the Sitka campus. Management authority would be transferred from the Department of Education to the University. <i>Public Facilities</i>
TV.RF.1001	Tok Research Forest	4,015	Parcel is to be used for forestry research by UAF. <i>Forestry.</i>
TV.TV.1001	University Research Forest	51,820	This parcel contains portions of the Tanana Valley State Forest as well as other state land classified Forestry and Settlement. Parcel is to be retained and managed by DNR for the next fifty years after which it will be conveyed to the University. Parcel would also be used for forestry research by UAF. DNR would continue to manage the other uses that occur within this area, including timber harvest and public recreation. Public access is to be maintained. <i>Forestry and Settlement.</i>
	Educational Properties Subtotal	90,676	
TOTAL		260,000	

Alaska Statehood

Pub. L. 85-508, July 7, 1958, 72 Stat. 339, as amended, provided:

"[Sec. 1. Declaration; acceptance, ratification, and confirmation of Constitution.] That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 8(c) of this Act, the State of Alaska is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Alaska entitled, 'An Act to provide for the holding of a constitutional convention to prepare a constitution for the State of Alaska; to submit the constitution to the people for adoption or rejection; to prepare for the admission of Alaska as a State; to make an appropriation; and setting an effective date', approved March 19, 1955 (Chapter 46, Session Laws of Alaska, 1955), and adopted by a vote of the people of Alaska in the election held on April 24, 1956, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

"Sec. 2. [Territory.] The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska.

"Sec. 3. [Constitution.] The constitution of the State of Alaska shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

"Sec. 4. [Compact with United States; disclaimer of right and title to lands or other property; taxation.] As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Act, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation: Provided, That nothing contained in this Act shall recognize, deny, enlarge, impair, or otherwise affect any claim against the United States, and any such claim shall be governed by the laws of the United States applicable thereto; and nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that any law applicable thereto authorizes, establishes, recognizes, or confirms the validity or invalidity of any such claim, and the determination of the applicability or effect of any law to any such claim shall be unaffected by anything in this Act: And provided further, That no taxes shall be imposed by said State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation. (As amended Pub. L. 86-70, § 2(a), June 25, 1959, 73 Stat. 141.)

"Sec. 5. [Title to property.] The State of Alaska and its political subdivisions, respectively, shall have and retain title to all property, real and personal, title to which is in the Territory of Alaska or any of the subdivisions. Except as provided in section 6 hereof, the United States shall retain title to all property, real and personal, to which it has title, including public lands.

"Sec. 6. [Selection from public lands; fish and wildlife resources; public school support; mineral leases, permits, leases, or contracts; mineral land grants; schools and colleges; confirmation of grants; internal improvements; submerged lands.] (a) For the purposes of furthering the development of and expansion of communities, the State of Alaska is hereby granted and shall be entitled to select, within thirty-five years after the date of the admission of the State of Alaska into the Union, from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection not to exceed four hundred thousand acres of land, and from the other public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection not to exceed another four hundred thousand acres of land, all of which shall be adjacent to established communities or suitable for prospective community centers and recreational areas. Such lands shall be selected by the State of Alaska with the approval of the Secretary of Agriculture as to national forest lands and with the approval of the Secretary of the Interior as to other public lands: Provided, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied: Provided further, That for the purposes of this section the term 'public lands of the United States in Alaska which are vacant, unappropriated, and unreserved' shall include, without limiting the use thereof, the retained or reserved interest of the United States in lands which have been disposed of with a reservation to the United States of all minerals or any specified mineral or minerals.

"(b) The State of Alaska, in addition to any other grants made in this section, is hereby granted and shall be entitled to select, within thirty-five years after the admission of Alaska into the Union, not to exceed one hundred and two million five hundred and fifty thousand acres from the public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection: Provided, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the lands so occupied: And provided further, That no selection hereunder shall be made in the area north and west of the line described in section 10 without approval of the President or his designated representative.

"(c) Block 32, and the structures and improvements thereon, in the city of Juneau are granted to the State of Alaska for any or all of the following purposes or a combination thereof: A residence for the Governor, a State museum, or park and recreational use.

"(d) Block 19, and the structures and improvements thereon, and the interests of the United States in blocks C and 7, and the structures and improvements thereon, in the city of Juneau, are hereby granted to the State of Alaska.

"(e) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat. 301; 48 U.S.C., secs 192-211), as amended, and under the provisions of the Alaska commercial fisheries, laws of June 26, 1906 (34 Stat. 478; 48 U.S.C., secs. 230-239 and 241-242), and June 6, 1924 (43 Stat. 465; 48 U.S.C., secs. 221-228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: Provided, That the administration and management of

the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of ninety calendar days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest: Provided, That such transfer shall not include lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife. Sums of money that are available for apportionment or which the Secretary of the Interior shall have apportioned as of the date the State of Alaska shall be deemed to be admitted into the Union, for wildlife restoration in the Territory of Alaska, pursuant to section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., sec. 669g-1), and for fish restoration and management in the Territory of Alaska, pursuant to section 12 of the Act of August 9, 1950 (16 U.S.C., sec. 777k), shall continue to be available for the period, and under the terms and conditions in effect at the time, the apportionments are made. Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 per centum of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea otter skins made in accordance with the provisions of the Fur Seal Act of 1966 [16 U.S.C. 1151 et seq.]. In arriving at the net proceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the Fur Seal Act of 1966, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands, and the payments made to any municipal corporation established pursuant to section 206 of the Fur Seal Act of 1966 [16 U.S.C. 1166] and to the civil service retirement and disability fund pursuant to section 208 of the Fur Seal Act of 1966 [16 U.S.C. 1168]. In administering the Pribilof Islands fund established by section 407 of the Fur Seal Act of 1966 [16 U.S.C. 1187], the Secretary shall consult with the State of Alaska annually. Nothing in this Act shall be construed as affecting the rights of the United States under the provisions of the Fur Seal Act of 1966 and the Northern Pacific Halibut Act of 1937 (16 U.S.C. 772-772i).

"(f) Five per centum of the proceeds of sale of public lands lying within said State which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to such sales, shall be paid to said State to be used for the support of the public schools within said State.

"(g) Except as provided in subsection (a), all lands granted in quantity to and authorized to be selected by the State of Alaska by this Act shall be selected in such manner as the laws of the State may provide, and in conformity with such regulations as the Secretary of the Interior may prescribe. All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved, and each tract selected shall contain at least five thousand seven hundred and sixty acres unless isolated from other tracts open to selection or, in the case of selections under subsec. (a) of this section, one hundred and sixty acres. The authority to make selections shall never be alienated or bargained away, in whole or in part, by the State. Upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, if subsequent to the admission of Alaska into the Union, during which period the State of Alaska shall have a preferred right of selection, subject to the requirements of this Act, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation. Such preferred right of selection shall have precedence over the preferred right of application created by section 4 of the Act of September 27, 1944 (58 Stat. 748; 43 U.S.C., sec. 282), as now or hereafter amended, but not over other preference rights now conferred by law. Where any lands desired by the State are unsurveyed at the time

of their selection, the Secretary of the Interior shall survey the exterior boundaries of the area requested without any interior subdivision thereof and shall issue a patent for such selected area in terms of the exterior boundary survey; where any lands desired by the State are surveyed at the time of their selection, the boundaries of the area requested shall conform to the public land subdivisions established by the approval of the survey. All lands duly selected by the State of Alaska pursuant to this Act shall be patented to the State by the Secretary of the Interior. Following the selection of lands by the State and the tentative approval of such selection by the Secretary of the Interior or his designee, but prior to the issuance of final patent, the State is hereby authorized to execute conditional leases and to make conditional sales of such selected lands. As used in this subsection, the words 'equitable claims subject to allowance and confirmation' include, without limitation, claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands. As to all selections made by the State after January 1, 1979, pursuant to section 6(b) of this Act, the Secretary of the Interior, in his discretion, may waive the minimum tract selection size where he determines that such a reduced selection size would be in the national interest and would result in a better land ownership pattern.

"(h) Any lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 181 and the following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U.S.C.⁽¹⁾ 432 and the following), as amended, shall have the effect of withdrawing the lands subject thereto from selection by the State of Alaska under this Act, unless an application to select such lands is filed with the Secretary of the Interior within a period of ten years after the date of the admission of Alaska into the Union. Such selections shall be made only from lands that are otherwise open to selection under this Act. When all of the lands subject to a lease, permit, license, or contract are selected, the patent for the lands so selected shall vest in the State of Alaska all the right, title, and interest of the United States in and to that lease, permit, license, or contract that remains outstanding on the effective date of the patent, including the right to all the rentals, royalties, and other payments accruing after that date under that lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of that lease, permit, license, or contract: Provided, That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder. Where only a portion of the lands subject to a lease, permit, license, or contract are selected, there shall be reserved to the United States the mineral or minerals subject to that lease, permit, license, or contract, together with such further rights as may be necessary to the full and complete enjoyment of all rights, privileges, and benefits under or with respect to that lease, permit, license, or contract; upon the termination of the lease, permit, license, or contract, title to the minerals so reserved to the United States shall pass to the State of Alaska.

"(i) All grants made or confirmed under this Act shall include mineral deposits. The grants of mineral lands to the State of Alaska under subsections (a) and (b) of this section are made upon the express condition that all sales, grants, deeds, or patents for any of the mineral lands so granted shall be subject to and contain a reservation to the State of all of the minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. Mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct: Provided, That any lands or minerals hereafter disposed of contrary to the provisions of this section shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States District Court for the District of Alaska.

"(j) The schools and colleges provided for in this Act shall forever remain under the exclusive control of the State, or its governmental subdivisions, and no part of the

proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

"(k) Grants previously made to the Territory of Alaska are hereby confirmed and transferred to the State of Alaska upon its admission. Effective upon the admission of the State of Alaska into the Union, section 1 of the Act of March 4, 1915 (38 Stat. 1214; 48 U.S.C., sec. 353), as amended, and the last sentence of section 35 of the Act of February 25, 1920 (41 Stat. 450; 30 U.S.C., sec. 191), as amended, are repealed and all lands therein reserved under the provisions of section 1 as of the date of this Act [July 7, 1958] shall, upon the admission of said State into the Union, be granted to said State for the purposes for which they were reserved; but such repeal shall not affect any outstanding lease, permit, license, or contract issued under said section 1, as amended, or any rights or powers with respect to such lease, permit, license, or contract, and shall not affect the disposition of the proceeds or income derived prior to such repeal from any lands reserved under said section 1, as amended, or derived thereafter from any disposition of the reserved lands or an interest therein made prior to such repeal.

"(l) The grants provided for in this Act shall be in lieu of the grant of land for purposes of internal improvements made to new States by section 8 of the Act of September 4, 1841 (5 Stat. 455), and sections 2378 and 2379 of the Revised Statutes (43 U.S.C., sec. 857), and in lieu of the swampland grant made by the Act of September 28, 1850 (9 Stat. 520), and section 2479 of the Revised Statutes (43 U.S.C., sec. 982), and in lieu of the grant of thirty thousand acres for each Senator and Representative in Congress made by the Act of July 2, 1862, as amended (12 Stat. 503; 7 U.S.C., secs. 301-308), which grants are hereby declared not to extend to the State of Alaska.

"(m) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Alaska and the said State shall have the same rights as do existing States thereunder. (As amended Pub. L. 86-70, § 2(b), June 25, 1959, 73 Stat. 141; Pub. L. 86-173, Aug. 18, 1959, 73 Stat. 395; Pub. L. 86-786, § 3, 4, Sept. 14, 1960, 74 Stat. 1025; Pub. L. 88-135, Oct. 8, 1963, 77 Stat. 223; Pub. L. 88-289, Mar. 25, 1964, 78 Stat. 169; Pub. L. 89-702, title IV, § 408(b), Nov. 2, 1966, 80 Stat. 1098; Pub. L. 96-487, title IX, § 906(a), (f)(3), Dec. 2, 1980, 94 Stat. 2437, 2440.)

"Sec. 7. [Certification by President; proclamation for elections.] Upon enactment of this Act, it shall be the duty of the President of the United States, not later than July 3, 1958, to certify such fact to the Governor of Alaska. Thereupon the Governor, on or after July 3, 1958, and not later than August 1, 1958, shall issue his proclamation for the elections, as hereinafter provided, for officers of all elective offices and in the manner provided for by the constitution of the proposed State of Alaska, but the officers so elected shall in any event include two Senators and one Representative in Congress.

"Sec. 8. [Election of officers; date; propositions; certification of voting results; proclamation by President; laws in effect.] (a) The proclamation of the Governor of Alaska required by section 7 shall provide for holding of a primary election and a general election on dates to be fixed by the Governor of Alaska: Provided, That the general election shall not be held later than December 1, 1958, and at such elections the officers required to be elected as provided in section 7 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Alaska may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Alaska for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Alaska may prescribe. The Governor of Alaska shall certify the results of said elections to the President of the United States.

"(b) At an election designated by proclamation of the Governor of Alaska, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, by separate ballot on each, the following propositions:

" (1) Shall Alaska immediately be admitted into the Union as a State?

" (2) The boundaries of the State of Alaska shall be as prescribed in the Act of Congress approved XX (date of approval of this Act) and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

" (3) All provisions of the Act of Congress approved XX (date of approval of this Act) reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, are consented to fully by said State and its people."

"In the event each of the foregoing propositions is adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Alaska, ratified by the people at the election held on April 24, 1956, shall be deemed amended accordingly. In the event any one of the foregoing propositions is not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall thereupon cease to be effective.

"The Governor of Alaska is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Alaska, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

"(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Alaska, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 7 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Alaska shall be deemed admitted into the Union as provided in section 1 of this Act.

"Until the said State is so admitted into the Union, all of the officers of said Territory, including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Alaska into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

"(d) Upon admission of the State of Alaska into the Union as herein provided, all of the Territorial laws then in force in the Territory of Alaska shall be and continue in full force and effect throughout said State except as modified or changed by this Act, or by the constitution of the State, or as thereafter modified or changed by the legislature of the State. All of the laws of the United States shall have the same force and effect within said State as elsewhere within the United States. As used in this paragraph, the term 'Territorial laws' includes (in addition to laws enacted by the Territorial Legislature of Alaska) all laws or parts thereof enacted by the Congress the validity of which is

dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union, and the term 'laws of the United States' includes all laws or parts thereof enacted by the Congress that (1) apply to or within Alaska at the time of the admission of the State of Alaska into the Union, (2) are not 'Territorial laws' as defined in this paragraph, and (3) are not in conflict with any other provisions of this Act.

"Sec. 9. [House of Representatives membership.] The State of Alaska upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: Provided, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13) nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

"Sec. 10. [National defense withdrawals; jurisdiction.] (a) The President of the United States is hereby authorized to establish, by Executive order or proclamation, one or more special national defense withdrawals within the exterior boundaries of Alaska, which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President.

"(b) Special national defense withdrawals established under subsection (a) of this section shall be confined to those portions of Alaska that are situated to the north or west of the following line: Beginning at the point where the Porcupine River crosses the international boundary between Alaska and Canada; thence along a line parallel to, and five miles from, the right bank of the main channel of the Porcupine River to its confluence with the Yukon River; thence along a line parallel to, and five miles from, the right bank of the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160 degrees west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along a line parallel to, and five miles from the right bank of the Kuskokwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162 degrees 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 57 degrees 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156 degrees west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50 degrees north.

"(c) Effective upon the issuance of such Executive order or proclamation, exclusive jurisdiction over all special national defense withdrawals established under this section is hereby reserved to the United States, which shall have sole legislative, judicial, and executive power within such withdrawals, except as provided hereinafter. The exclusive jurisdiction so established shall extend to all lands within the exterior boundaries of each such withdrawal, and shall remain in effect with respect to any particular tract or parcel of land only so long as such tract or parcel remains within the exterior boundaries of such a withdrawal. The laws of the State of Alaska shall not apply to areas within any special national defense withdrawal established under this section while such areas remain subject to the exclusive jurisdiction hereby authorized: Provided, however, That such exclusive jurisdiction shall not prevent the execution of any process, civil or criminal, of the State of Alaska, upon any person found within said withdrawals: And provided further, That such exclusive jurisdiction shall not prohibit the State of Alaska from enacting and enforcing all laws necessary to establish voting districts, and the qualification and procedures for voting in all elections.

"(d) During the continuance in effect of any special national defense withdrawal established under this section, or until the Congress otherwise provides, such exclusive

jurisdiction shall be exercised within each such withdrawal in accordance with the following provisions of law:

"(1) All laws enacted by the Congress that are of general application to areas under the exclusive jurisdiction of the United States, including, but without limiting the generality of the foregoing, those provisions of title 18, United States Code, that are applicable within the special maritime and territorial jurisdiction of the United States as defined in section 7 of said title, shall apply to all areas within such withdrawals.

"(2) In addition, any areas within the withdrawals that are reserved by Act of Congress or by Executive action for a particular military or civilian use of the United States shall be subject to all laws enacted by the Congress that have application to lands withdrawn for that particular use, and any other areas within the withdrawals shall be subject to all laws enacted by the Congress that are of general application to lands withdrawn for defense purposes of the United States.

"(3) To the extent consistent with the laws described in paragraphs (1) and (2) of this subsection and with regulations made or other actions taken under their authority, all laws in force within such withdrawals immediately prior to the creation thereof by Executive order or proclamation shall apply within the withdrawals and, for this purpose, are adopted as laws of the United States: Provided, however, That the laws of the State or Territory relating to the organization or powers of municipalities or local political subdivisions, and the laws or ordinances of such municipalities or political subdivisions shall not be adopted as laws of the United States.

"(4) All functions vested in the United States magistrate judges by the laws described in this subsection shall continue to be performed within the withdrawals by such magistrate judges.

"(5) All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporation, district, or other subdivision, and the laws of the State or the laws or ordinances of such municipalities or local political subdivision shall remain in full force and effect notwithstanding any withdrawal made under this section.

"(6) All other functions vested in the government of Alaska or in any officer or agency thereof, except judicial functions over which the United States District Court for the District of Alaska is given jurisdiction by this Act or other provisions of law, shall be performed within the withdrawals by such civilian individuals or civilian agencies and in such manner as the President shall from time to time, by Executive order, direct or authorize.

"(7) The United States District Court for the District of Alaska shall have original jurisdiction, without regard to the sum or value of any matter in controversy, over all civil actions arising within such withdrawals under the laws made applicable thereto by this subsection, as well as over all offenses committed within the withdrawals.

"(e) Nothing contained in subsection (d) of this section shall be construed as limiting the exclusive jurisdiction established in the United States by subsection (c) of this section or the authority of the Congress to implement such exclusive jurisdiction by appropriate legislation, or as denying to persons now or hereafter residing within any portion of the areas described in subsection (b) of this section the right to vote at all elections held within the political subdivisions as prescribed by the State of Alaska where they respectively reside, or as limiting the jurisdiction conferred on the United States District Court for the District of Alaska by any other provision of law, or as continuing in effect laws relating to the Legislature of the Territory of Alaska. Nothing contained in this section shall be construed as limiting any authority otherwise vested in the Congress or the President. (As amended Pub. L. 90-578, title IV, § 402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117.)

"Sec. 11. [Denali National Park; military and naval lands; civil and criminal jurisdiction.]

(a) Nothing in this Act shall affect the establishment, or the right, ownership, and authority of the United States in Denali National Park, as now or hereafter constituted; but exclusive jurisdiction, in all cases, shall be exercised by the United States for the national park, as now or hereafter constituted; saving, however, to the State of Alaska the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing now or hereafter in such area the right to vote at all elections held within the respective political subdivisions of their residence in which the park is situated.

"(h) Notwithstanding the admission of the State of Alaska into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are owned by the United States and held for military, naval, Air Force, or Coast Guard purposes, including naval petroleum reserve numbered 4, whether such lands were acquired by cession and transfer to the United States by Russia and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Alaska for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: Provided, (i) That the State of Alaska shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Alaska, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall rest and remain in the United States only so long as the particular tract or parcel of land involved is owned by the United States and used for military, naval, Air Force, or Coast Guard purposes. The provisions of this subsection shall not apply to lands within such special national defense withdrawal or withdrawals as may be established pursuant to section 10 of this Act until such lands cease to be subject to the exclusive jurisdiction reserved to the United States by that section. (As amended Pub. L. 96-487, title II, § 202(3)(a), Dec. 2, 1980, 94 Stat. 2382.)

"Sec. 12. [Judicial and criminal provisions; amendment.] Effective upon the admission of Alaska into the Union—

"(a) The analysis of chapter 5 of title 28, United States Code, immediately preceding section 81 of such title, is amended by inserting immediately after and underneath item 81 of such analysis, a new item to be designated as item 81A and to read as follows:

" '81A. Alaska';

"(b) Title 28, United States Code, is amended by inserting immediately after section 81 thereof a new section, to be designated as section 81A, and to read as follows:

" '§ 81A. Alaska

" 'Alaska constitutes one judicial district.

" 'Court shall be held at Anchorage, Fairbanks, Juneau, and Nome.';

"(c) Section 133 of title 28, United States Code, is amended by inserting in the table of districts and judges in such section 2, a line immediately above the item: 'Arizona' a new item as follows: 'Alaska';

"(d) The first paragraph of section 373 of title 28, United States Code, as heretofore amended, is further amended by striking out the words: 'the District Court for the Territory of Alaska,': Provided, That the amendment made by this subsection shall not affect the rights of any judge who may have retired before it takes effect;

"(e) The words 'the District Court for the Territory of Alaska,' are stricken out wherever they appear in sections 333, 460, 610, 753, 1252, 1291, 1292, and 1346 of title 28, United States Code;

"(f) The first paragraph of section 1252 of title 28, United States Code, is further amended by striking out the word 'Alaska,' from the clause relating to courts of record;

"(g) Subsection (2) of section 1294 of title 28, United States Code, is repealed and the later subsections of such section are renumbered accordingly;

"(h) Subsection (a) of section 2410 of title 28, United States Code, is amended by striking out the words: 'including the District Court for the Territory of Alaska,';

"(i) Section 3241 of title 18, United States Code, is amended by striking out the words: 'District Court for the Territory of Alaska, the';

"(j) Subsection (e) of section 3401 of title 18, United States Code, is amended by striking out the words: 'for Alaska or';

"(k) Section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: 'the Territory of Alaska,';

"(l) Section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: 'the Territory of Alaska,';

"(m) Section 2072 of title 28, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: 'and of the District Court for the Territory of Alaska';

"(n) Subsection (q) of section 376 of title 28, United States Code, is amended by striking out the words: 'the District Court for the Territory of Alaska,': Provided, That the amendment made by this subsection shall not affect the rights under such section 376 of any present or former judge of the District Court for the Territory of Alaska or his survivors;

"(o) The last paragraph of section 1963 of title 28, United States Code, is repealed;

"(p) Section 2201 of title 28, United States Code, is amended by striking out the words: 'and the District Court for the Territory of Alaska'; and

"(q) Section 4 of the Act of July 28, 1950 (64 Stat. 380; 5 U.S.C., sec. 341b) is amended by striking out the word: 'Alaska,'.

"Sec. 13. [Continuation of suits.] No writ, action, indictment, cause, or proceeding pending in the District Court for the Territory of Alaska on the date when said Territory shall become a State, and no case pending in an appellate court upon appeal from the District Court for the Territory of Alaska at the time said Territory shall become a State, shall abate by the admission of the State of Alaska into the Union, but the same shall be transferred and proceeded with as hereinafter provided.

"All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Alaska in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said courts had been established prior to the accrual of said causes of action or the commission of such offenses; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be

tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Alaska.

"Sec. 14. [Appeals.] All appeals taken from the District Court for the Territory of Alaska to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit, previous to the admission of Alaska as a State, shall be prosecuted to final determination as though this Act had not been passed. All cases in which final judgment has been rendered in such district court, and in which appeals might be had except for the admission of such State, may still be sued out, taken, and prosecuted to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit under the provisions of then existing law, and there held and determined in like manner; and in either case, the Supreme Court of the United States, or the United States Court of Appeals, in the event of reversal, shall remand the said cause to either the State supreme court or other final appellate court of said State, or the United States district court for said district, as the case may require: Provided, That the time allowed by existing law for appeals from the district court for said Territory shall not be enlarged thereby.

"Sec. 15. [Transfer of cases.] All causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State which are of such nature as to be within the jurisdiction of a district court of the United States shall be transferred to the United States District Court for the District of Alaska for final disposition and enforcement in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts. All other causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State shall be transferred to the appropriate State court of Alaska. All final judgments and decrees rendered upon such transferred cases in the United States District Court for the District of Alaska may be reviewed by the Supreme Court of the United States or by the United States Court of Appeals for the Ninth Circuit in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts.

"Sec. 16. [Succession of courts.] Jurisdiction of all cases pending or determined in the District Court for the Territory of Alaska not transferred to the United States District Court for the District of Alaska shall devolve upon and be exercised by the courts of original jurisdiction created by said State, which shall be deemed to be the successor of the District Court for the Territory of Alaska with respect to cases not so transferred and, as such, shall take and retain custody of all records, dockets, journals, and files of such court pertaining to such cases. The files and papers in all cases so transferred to the United States district court, together with a transcript of all book entries to complete the record in such particular cases so transferred, shall be in like manner transferred to said district court.

"Sec. 17. [Pending cases in the District Court for the Territory of Alaska.] All cases pending in the District Court for the Territory of Alaska at the time said Territory becomes a State not transferred to the United States District Court for the District of Alaska shall be proceeded with and determined by the courts created by said State with the right to prosecute appeals to the appellate courts created by said State, and also with the same right to prosecute appeals or writs of certiorari from the final determination in said causes made by the court of last resort created by such State to the Supreme Court of the United States, as now provided by law for appeals and writs of certiorari from the court of last resort of a State to the Supreme Court of the United States.

"Sec. 18. [Jurisdiction of District Court; termination date.] The provisions of the preceding sections with respect to the termination of the jurisdiction of the District Court for the Territory of Alaska, the continuation of suits, the succession of courts, and the satisfaction of rights of litigants in suits before such courts, shall not be effective until three years after the effective date of this Act, unless the President, by Executive order, shall sooner

proclaim that the United States District Court for the District of Alaska, established in accordance with the provisions of this Act, is prepared to assume the functions imposed upon it. During such period of three years or until such Executive order is issued, the United States District Court for the Territory of Alaska shall continue to function as heretofore. The tenure of the judges, the United States attorneys, marshals, and other officers of the United States District Court for the Territory of Alaska shall terminate at such time as that court shall cease to function as provided in this section.

"Sec. 19. [Federal Reserve Act; amendment.] The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: 'When the State of Alaska is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section.'

"Sec. 20. [Reservation of coal lands; repeal.] Section 2 of the Act of October 20, 1914 (38 Stat. 742, 48 U.S.C., sec. 433), is hereby repealed.

"Sec. 21. [United States Nationality.] Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

"Sec. 22. [Immigration and Nationality Act; amendment.] Section 101(a)(36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101 (a)(36)) is amended by deleting the word 'Alaska,'.

"Sec. 23. [Immigration and Nationality Act; amendment.] The first sentence of section 212(d)(7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C., sec. 1182 (d)(7)) is amended by deleting the word 'Alaska,'.

"Sec. 24. [Persons born in Alaska on or after March 30, 1867.] Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 304 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C., sec. 1404).

"Sec. 25. [Immigration and Nationality Act; amendment.] The first sentence of section 310(a) of the Immigration and Nationality Act (66 Stat. 239, 8 U.S.C., sec. 1421 (a)) is amended by deleting the words 'District Courts of the United States for the Territories of Hawaii and Alaska' and substituting therefor the words 'District Court of the United States for the Territory of Hawaii'.

"Sec. 26. [Immigration and Nationality Act; amendment.] Section 344(d) of the Immigration and Nationality Act (66 Stat. 265, 8 U.S.C., sec. 1455 (d)) is amended by deleting the words 'in Alaska and'.

"Sec. 27. [Transportation by water.] (a) The third proviso in section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C., sec. 883), is further amended by striking out the word 'excluding' and inserting in lieu thereof the word 'including'.

"(b) Nothing contained in this or any other Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Alaska and other ports in the United States, its Territories or possessions, or as conferring upon the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

"Sec. 28. [Mines and mining.] (a) The last sentence of section 9 of the Act entitled 'An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes', approved October 20, 1914 (48 U.S.C. 439), is hereby amended to read as follows: 'All

net profits from operation of Government mines, and all bonuses, royalties, and rentals under leases as herein provided and all other payments received under this Act shall be distributed as follows as soon as practicable after December 31 and June 30 of each year: (1) 90 per centum thereof shall be paid by the Secretary of the Treasury to the State of Alaska for disposition by the legislature thereof; and (2) 10 per centum shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.'

"(b) Section 35 of the Act entitled 'An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain', approved February 25, 1920, as amended (30 U.S.C. 191), is hereby amended by inserting immediately before the colon preceding the first proviso thereof the following: ', and of those from Alaska 52 1/2 per centum thereof shall be paid to the State of Alaska for disposition by the legislature thereof'.

"Sec. 29. [Separability clause.] If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

"Sec. 30. [Repeal of inconsistent laws.] All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed."

Alaska Omnibus Act

Pub. L. 86-70, June 25, 1959, 73 Stat. 141, as amended, provided:

"[Sec. 1. Short Title.] That this Act may be cited as the 'Alaska Omnibus Act'.

"Sec. 2 [Federal jurisdiction.] (a) Section 4 of the Act of July 7, 1958 (72 Stat. 339) [set out as a note above], providing for the admission of the State of Alaska into the Union, is amended by striking out the words 'all such lands or other property, belonging to the United States or which may belong to said natives', and inserting in lieu thereof the words 'all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives'.

"(b) Section 6(e) of said Act is amended by striking out the word 'legislative' and inserting in lieu thereof the word 'calendar'.

"Sec. 3. [Termination of application of certain Federal laws.] Any Territorial law, as that term is defined in section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344) [set out as a note above], providing for the admission of the State of Alaska into the Union—

"(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

"(b) the application of which to the State of Alaska is continued solely by reason of such section 8 (d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the Legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

"Sec. 4. [Sugar Act; amendment.] Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection '(o)' and to read as follows:

" '(o) The term "continental United States" means the 49 States and the District of Columbia.'

"Sec. 5. [Soil Bank Act; amendment.] Section 113 of the Soil Bank Act (7 U.S.C., supp. V, sec. 1837), is amended to read as follows: 'This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term "State" includes Hawaii, Puerto Rico, and the Virgin Islands.'

"Sec. 6. [Armed Forces; amendment.] (a) Title 10, United States Code, section 101 (2), is amended by striking out the words 'Alaska, Hawaii,' and inserting in lieu thereof the word 'Hawaii'.

"(b) Title 10, United States Code, sections 802 (11) and 802 (12), are each amended by striking out the words 'that part of Alaska east of longitude 172 degrees west,'.

"(c) Title 10, United States Code, section 2662 (c), is amended by striking out the word 'Alaska,'.

"Sec. 7. [National Bank Act; amendment.] Section 5192 of the Revised Statutes, as amended (12 U.S.C. 144), is further amended by striking out the words 'in Alaska or'.

"Sec. 8. [Federal Reserve Act; amendment.] (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: '; the term "the continental United States" means the States of the United States and the District of Columbia.'

"(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further amended by striking the words 'in Alaska or'.

"Sec. 9. [Home Loan Bank Board.] (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422 (3)), is further amended by striking out the words 'Territories of Alaska and Hawaii' and inserting in lieu thereof the words 'Territory of Hawaii'.

"(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words 'continental United States, to the Territories of Alaska and Hawaii' and inserting in lieu thereof the words 'continental United States (including Alaska), to the Territory of Hawaii'.

"Sec. 10. [National Housing Act; amendment.] The National Housing Act is amended by—

"(a) striking out the word 'Alaska,' in sections 9, 201 (d), 207 (a)(7), 601 (d), 713 (q), and 801 (g) (12 U.S.C., secs. 1706d, 1707 (d), 1713 (a)(7), 1736 (d), 1747l (q); supp. V, sec. 1748 (g));

"(b) striking out the words 'the Territory of Alaska,' in section 207 (c)(2) (12 U.S.C., supp. V, sec. 1713 (c)(2)), and inserting the word 'Alaska' in lieu thereof;

"(c) by striking out the words 'the Territory of Alaska or in Guam' in section 214 (12 U.S.C., supp. V, sec. 1715d; 48 U.S.C., supp. V, sec. 484d), and inserting the words 'Alaska, Guam,' in lieu thereof; and

"(d) striking out the words 'Territory' in the two places where it appears in section 806 (12 U.S.C., supp. V, sec. 1748e), and inserting the word 'State' in lieu thereof.

"Sec. 11. [Coast Guard; amendment.] Title 14, United States Code, section 634 (b), is amended by striking out the words 'and for the territory of' in both places where they appear therein.

"Sec. 12. [Securities and Exchange Commission.] (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b (6)), is further amended by striking out the word 'Alaska,'.

"(b) Paragraph (16) of section 3(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c (a)(16)), is further amended by striking out the word 'Alaska,'.

"(c) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended (15 U.S.C. 80b-2 (a)(18)), is further amended by striking out the word 'Alaska,'.

"(d) Paragraph (37) of section 2(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-2 (a)(37)), is further amended by striking out the word 'Alaska,'.

"(e) Paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-6 (a)(1)), is further amended by striking out the word 'Alaska,'.

"Sec. 13. [Soil Conservation.] (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., supp. V, sec. 590h (b)), is further amended by inserting, immediately following the words 'continental United States', the words ', except in Alaska'.

"(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590q (a)), is further amended by striking out the words 'the United States, the Territories of Alaska and Hawaii' and inserting in lieu thereof the words 'the States, the Territory of Hawaii', and by striking out the word 'Alaska' the second time it appears therein.

"Sec. 14. [Bald Eagles.] Section 1 of the Act of June 8, 1940 (16 U.S.C. 668), is amended by striking out the words 'except the Territory of Alaska,'.

"Sec. 15. [Wildlife restoration.] Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is further amended by striking out the words 'the Alaska Game Commission,', 'said Territory of Alaska,', 'not exceeding \$75,000 for Alaska, and', and 'the Territory of Alaska,'.

"Sec. 16. [Fish restoration.] Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., supp. V, sec. 777k), is further amended by striking out the words 'the Alaska Game Commission,', 'said Territory of Alaska,', 'not exceeding \$75,000 for Alaska, and', and 'the Territory of Alaska,'.

"Sec. 17. [Criminal Code; amendments.] (a) Title 18, United States Code, section 5024, is amended by striking out the words 'other than Alaska' and inserting in lieu thereof the words 'including Alaska'.

"(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words 'other than Alaska' and inserting in lieu thereof the words 'including Alaska'.

"(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

"(d) Title 18, United States Code, section 1385, is amended by deleting the last sentence thereof.

"Sec. 18. [Education.] (a)(1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out 'Alaska,' each time it appears.

"(2) Paragraph (3)(B) of section 302() of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science, mathematics and modern foreign language instruction equipment, is amended by striking out 'does not include Alaska' and inserting in lieu thereof 'includes Alaska'.

"(3) Section 1008 of such Act (72 Stat. 1580, 1605), relating to allotments to territories, is amended by striking out 'Alaska,'.

"(b)(1) Section 4 of the Act of February 23, 1917 (20 U.S.C. 14), relating to allotments for teacher-training, is amended by striking out '\$90,000' and inserting in lieu thereof '\$98,500'. The proviso in the last paragraph of section 5 of such Act (20 U.S.C. 16) and so much of section 12 of such Act (20 U.S.C. 22) as follows the last semicolon shall not be applicable to Alaska prior to the third fiscal year which begins after the enactment of this Act.

"(2) Paragraph (1) of section 2 of the Vocational Education Act of 1946 (20 U.S.C. 151), relating to definition of States and Territories, is amended by striking out 'the Territories of Alaska and Hawaii' and inserting in lieu thereof 'the Territory of Hawaii'.

"(3) Subsection (e) of section 210 (20 U.S.C., supp. V, sec. 15jj (e)), and subsection (a) of section 307 of such Act (72 Stat. 1580, 1600), relating to definition of State, are each amended by striking out 'Alaska,'.

"(c) Paragraph (13) of section 15 of the Act of September 23, 1950, as amended (72 Stat. 548, 558), relating to definition of State, is amended by striking out 'Alaska,'.

"(d)(1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to determination of local contribution rate, is amended to read: '(other than a local educational agency in Hawaii,

Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency)'.
"

"(2) The fourth sentence of such subsection is amended by inserting '(Including Alaska)' after 'continental United States' the first time it appears in such sentence. The fifth sentence of such subsection is amended by inserting '(Including Alaska)' after 'continental United States' the second time it appears in such sentence.

"(3) The last sentence of such subsection is amended by striking out 'Alaska,' and by inserting after 'the Virgin Islands,' the following: 'or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency,'.

"(4) Paragraph (8) of section 9 of such Act (20 U.S.C., supp. V, sec. 244 (8)), relating to definition of State, is amended by striking out 'Alaska,'.

"Sec. 19. [Importation of milk and cream.] Subsection (b) of section 9 of the Act of February 15, 1927 (21 U.S.C. 149 (b)), is amended by inserting the words, ', including Alaska' immediately following the words 'continental United States'.

"Sec. 20. [Opium Poppy Control.] Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C. 188k) is amended by deleting therefrom the words 'the Territory of Alaska,'.

"Sec. 21. [Highways.] (a) The Secretary of Transportation shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 44 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

"(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date of the transfer provided under subsection (a) hereof may be completed according to the terms thereof.

"(c)(1) The State of Alaska shall be responsible for the maintenance of roads, including bridges, tunnels, and ferries, transferred to it under subsection (a) of this section, as long as any such road is needed for highway purposes.

"(2) Federal-aid funds apportioned to Alaska under title 23, United States Code, for fiscal year 1960 and prior fiscal years, and unobligated on the date of enactment of this Act, may be used for maintenance of highways on the Federal-aid systems in Alaska.

"(d) Effective July 1, 1959, the following provisions of law are repealed:

"(1) Title 23, United States Code, section 103 (f);

"(2) Title 23, United States Code, section 116 (d);

"(3) Title 23, United States Code, section 119;

"(4) Title 23, United States Code, section 120 (h), except that the portion of the first sentence thereof relating to the percentage of funds to be contributed by Alaska shall continue to apply to funds apportioned to Alaska for fiscal year 1960 and prior fiscal years;

"(5) Sections 107(b) and (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 374, 377, 378);

"(6) Section 2 of the Act of January 27, 1905 (33 Stat. 616), as amended (48 U.S.C. 322 and the following); and

"(7) The Act of June 30, 1932 (47 Stat. 446), as amended (48 U.S.C. 321 (a) and the following).

"(e) Effective on July 1, 1959, the following provisions of law are amended:

"(1) The definition of the term 'State' in title 23, United States Code, section 101 (a), is amended to read as follows:

" 'The term "State" means any one of the forty-nine States, the District of Columbia, Hawaii, or Puerto Rico.';

"(2) Title 23, United States Code, section 104 (b), is amended by deleting the phrase ', except that only one-third of the area of Alaska shall be included' where it appears in paragraphs (1) and (2) of said section 104 (b);

"(3) Title 23, United States Code, section 116 (a), is amended by deleting the phrase 'Except as provided in subsection (d) of this section,' and by capitalizing the word 'it' immediately following such phrase; and

"(4) Title 23, United States Code, section 120 (a), is amended by deleting the phrase 'subsection (d) and (h)' and by inserting in lieu thereof the phrase 'subsection (d)'.

"(f) Notwithstanding the limitation contained in subsection (f) of section 120 of Title 23, United States Code, the Secretary of Transportation is authorized to make expenditures from the emergency fund under section 125 of such title for the repair or reconstruction of highways on the Federal-aid highway systems of Alaska which have been damaged or destroyed by the 1964 earthquake and subsequent seismic waves, in accordance with the Federal share payable under subsection (a) of section 120 of such title. The increase in expenditures resulting from the difference between the Federal share authorized by this subsection and that authorized by subsection (f) of section 120 of such title shall be reimbursed to the emergency fund by an appropriation from the general fund of the Treasury: Provided, That such increase in expenditures shall not exceed \$15,000,000 in the aggregate. (As amended Pub. L. 88-451, § 3, Aug. 19, 1964, 78 Stat. 505; Pub. L. 97-449, § 2(a), Jan. 12, 1983, 96 Stat. 2439.)

"Sec. 22. [Internal Revenue.] (a) Section 2202 of the Internal Revenue Code of 1986 (relating to missionaries in foreign service), and sections 3121(e)(1), 3306(j), 4221(d)(4), and 4233(b) of such Code (each relating to a special definition of 'State') are amended by striking out 'Alaska,'

"(b) Section 4262(c)(1) of the Internal Revenue Code of 1986 (definition of 'continental United States') is amended to read as follows:

" '(1) Continental United States.—The term "continental United States" means the District of Columbia and the States other than Alaska.'

"(c) Section 4502(5) of the Internal Revenue Code of 1986 (relating to definition of 'United States') is amended by striking out 'the Territories of Hawaii and Alaska' and by inserting in lieu thereof 'the Territory of Hawaii'.

"(d) Section 4774 of the Internal Revenue Code of 1986 (relating to territorial extent of law) is amended by striking out 'the Territory of Alaska,'

"(e) Section 7621(b) of the Internal Revenue Code of 1986 (relating to boundaries of internal revenue districts) is amended to read as follows:

" '(b) Boundaries.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one district two or more States, a Territory and one or more States.'

"(f) Section 7653(d) of the Internal Revenue Code of 1986 is amended by striking out 'its Territories or possessions' and inserting in lieu thereof 'its possessions or the Territory of Hawaii'.

"(g) Section 7701(a)(9) of the Internal Revenue Code of 1986 (relating to definition of 'United States') is amended by striking out 'the Territories of Alaska and Hawaii' and inserting in lieu thereof 'the Territory of Hawaii'.

"(h) Section 7701(a)(10) of the Internal Revenue Code of 1986 (relating to definition of State) is amended by striking out 'Territories' and inserting in lieu thereof 'Territory of Hawaii'.

"(i) The amendments contained in subsections (a) through (h) of this section shall be effective as of January 3, 1959. (As amended Pub. L. 59-514, § 2, Oct. 22, 1986, 100 Stat. 2095.)

"Sec. 23. [Courts.] (a) The Judicial Conference of the United States, with the assistance of the Administrative Office of the United States Courts, shall conduct a study, including a field survey, of the Federal judicial business arising in the State of Alaska with a view toward directing the United States Court of Appeals for the Ninth Circuit to hold such terms of court in Anchorage or such other Alaskan cities as may be necessary for the prompt and efficient administration of justice.

"(b) Title 28, United States Code, section 81A, is amended by inserting the word 'Ketchikan,' immediately following the word 'Juneau,'.

"(c) Such authority as has been exercised by the Attorney General heretofore, with regard to the Federal court system in Alaska, pursuant to section 30 of the Act of June 6, 1900 (48 U.S.C. 25), shall continue to be exercised by him after the court created by section 12(b) of the Act of July 7, 1958 (72 Stat. 339, 348) [set out above], providing for the admission of the State of Alaska into the Union, is established.

"(d) All balances of public moneys received by the clerks of each division of the District Court for the Territory of Alaska pursuant to section 10 of the Act of June 6, 1900, as amended (48 U.S.C. 107), which are on hand after all payments ordered by that court and approved by the Administrative Office of the United States Courts shall have been made, shall be covered into the Treasury of the United States as required by law, and the Secretary of the Treasury shall pay the amounts so covered, which are hereby appropriated, to the State of Alaska.

"Sec. 24. [Vocational Rehabilitation Act; amendment.] (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C., supp. V, sec. 41 (g)), relating to definition of State, is amended by striking out 'Alaska,'.

"(b)(1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out '(excluding Alaska)' and inserting in lieu thereof '(including Alaska)'.

"(2) Paragraph (1) of such subsection (h) is further amended by striking out 'Alaska,'.

"(3) Such subsection (i) is further amended by striking out 'Hawaii and Alaska' in clause (B) and inserting in lieu thereof 'Hawaii,'.

"Sec. 25. [Gold Reserve Act; amendment.] Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 444), is further amended by striking out the words ', the District of Columbia, and the Territory of Alaska' and inserting in lieu thereof the words 'and the District of Columbia'.

"Sec. 26. [Silver Purchase Act; amendment.] Section 10 of the Silver Purchase Act of 1934 (31 U.S.C. 448b), is amended by striking out the words ', the District of Columbia, and the Territory of Alaska' and inserting in lieu thereof the words 'and the District of Columbia'.

"Sec. 27. [National Guard; amendment.] Title 32, United States Code, section 101 (1), is amended by striking out the words 'Alaska, Hawaii,' and inserting in lieu thereof the word 'Hawaii'.

"Sec. 28. [Water Pollution Control Act; amendment.] (a) Paragraph (1) of section 5(h) of the Federal Water Pollution Control Act (33 U.S.C., supp. V, sec. 466d (h)(1)), relating to Federal share for purposes of matching for program operation, is amended by striking out '(excluding Alaska)' and inserting in lieu thereof '(including Alaska)' and by striking out, in clause (B), 'and Alaska'.

"(b) Subsection (d) of section 11 of such Act (33 U.S.C., Supp. V, sec. 466j (d)), is amended by striking out 'Alaska,'.

"Sec. 29. [Veterans' Benefits; amendment.] (a) Title 38, United States Code, section 903 (b) [now 2303(b)], is amended by striking out the words ', or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care'; by inserting the word 'continental' immediately before the words 'United States' the second time they appear in such section; and by inserting, immediately following the words 'continental United States' in both places where they appear in such section, the parenthetical phrase '(including Alaska)'.

"(b) Title 38, United States Code, section 2007 (c) [now 4107(c)], is amended by striking out the word 'Alaska,'.

"Sec. 30. [Federal Property and Administrative Services Act; amendment.] (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472 (f)), is amended by striking out the words ', Hawaii, Alaska,' and inserting in lieu thereof the words '(including Alaska), Hawaii,'.

"(b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V, sec. 522 (a)), is amended by striking out the words 'Territories of Alaska and Hawaii' and inserting in lieu thereof the words 'Territory of Hawaii'.

"Sec. 31. [Public Health Service Act; amendment.] (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C. 201 (f)), relating to definition of State, is amended by striking out 'Hawaii, Alaska,' and inserting in lieu thereof 'Hawaii,' and by striking out ', the District of Columbia, or Alaska' and inserting in lieu thereof 'or the District of Columbia'.

"(b)(1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., supp. V, sec. 273), is repealed.

"(2) Subsection (a) of section 372 of such Act (42 U.S.C., supp. V, sec. 274 (a)), is amended by striking out 'the Territory of'.

"(3) Subsections (b), (c), and (e) of such section are each amended by striking out 'the Territory' each time it appears and inserting in lieu thereof 'Alaska'.

"(4) Such subsection (e) is further amended by striking out 'the Territory's' and inserting in lieu thereof 'Alaska's'.

"(c)(1) Subsection (a) of section 631 of such Act (42 U.S.C., supp. V, sec. 291i (a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out '(excluding Alaska)' and inserting in lieu thereof '(including Alaska)' and by striking out 'for Alaska and Hawaii shall be 50 per centum each' in clause (2) and inserting in lieu thereof 'for Hawaii shall be 50 per centum'.

"(2) Subsection (d) of such section, relating to definition of State, is amended by striking out 'Alaska,'.

"Sec. 32. [Social Security Act; amendment.] (a) Paragraph (8) of section 1101(a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out 'Alaska and' in clause (ii) of subparagraph (A) and by striking out '(excluding Alaska)' in subparagraphs (A) and (B) and inserting in lieu thereof '(including Alaska)'.

"(b)(1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out '50 per centum in the case of Alaska and' in clause (B).

"(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out '50 per centum in the case of Alaska and' in clause (2).

"(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allotment percentages, are each amended by striking out '(excluding Alaska)' and inserting in lieu thereof '(including Alaska)'.

"(c)(1) The last sentence of section 202(i) of the Social Security Act (42 U.S.C., supp. V, sec. 402 (i)), is amended by striking out 'forty-eight' and inserting in lieu thereof 'forty-nine'.

"(2) Subsections (h) and (i) of section 210 of such Act (42 U.S.C. 410 (h), (i)), relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out 'Alaska,'.

"(d)(1) Paragraph (1) of section 1101(a) of the Social Security Act (42 U.S.C., supp. V, sec. 1301 (a)(1)), relating to definition of State, is amended by striking out 'Alaska, Hawaii,' and inserting in lieu thereof 'Hawaii'.

"(2) Paragraph (2) of such section (42 U.S.C., 1301 (a)(2)), relating to definition of United States, is amended by striking out 'Alaska,'.

"Sec. 33. [Congressional Record.] Section 73 of the Act of January 12, 1895, as amended (44 U.S.C., supp. V, sec. 183), is further amended by striking out the word 'Alaska,' [Repealed by Pub. L. 90-620, § 3, Oct. 22, 1968, 82 Stat. 1310].

"Sec. 34. [Federal Register.] Section 8 of the Federal Register Act (44 U.S.C. 308) is amended by striking out the parenthetical phrase '(not including Alaska)' and inserting in lieu thereof the parenthetical phrase '(including Alaska)' [Repealed by Pub. L. 90-620, § 3, Oct. 22, 1968, 82 Stat. 1310].

"Sec. 35. [Airports.] (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

"(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof.

"Sec. 36. [Selective Service.] Section 16(b) of the Universal Military Training and Service Act, as amended (50 U.S.C., app., sec. 466 (b)), is further amended by striking out the word 'Alaska,'.

"Sec. 37. [Real property transactions.] Section 43(c) of the Act of August 10, 1956 (50 U.S.C. app., supp. V, sec. 2285 (c)), is amended by striking out the word 'Alaska,'.

"Sec. 38. [Recreation facilities.] Section 2 of the Act of May 4, 1956 (70 Stat. 130), is hereby repealed. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1960, such sums as may be necessary to complete the construction of facilities described in section 1 of such Act, as amended by the Act of August 30, 1957 (71 Stat. 510), if construction was begun prior to June 30, 1959, and to maintain the facilities pending their transfer pursuant to such section.

"Sec. 39. [Aircraft loan guarantees.] Section 3 of the Act of September 7, 1957 (71 Stat. 629), is amended by striking out the words 'Territory of Alaska' and inserting in lieu thereof the words 'State of Alaska'.

"Sec. 40. [Defense Base Act; amendment.] (a) Paragraphs (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651 and the following), are amended by striking out 'Alaska;' in the parenthetical phrase in each paragraph.

"(b) Paragraph (6) of section 1(a) of that Act is amended by striking out 'or in Alaska or the Canal Zone'.

"(c) Section 1(b) of that Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph:

" '(4) the term "continental United States" means the States and the District of Columbia.'

"Sec. 41. [Timber removal.] The Act of March 3, 1891 (26 Stat. 1093), as amended (16 U.S.C. 607), is further amended by deleting the words 'Territory of Alaska' and the words 'or Territory' where they there appear and by inserting the word 'Alaska,' after the words 'In the State of'.

"Sec. 42. [War Hazards Compensation Act; amendment.] (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701 and the following), are amended by striking out 'or in Alaska or the Canal Zone'.

"(b) Section 104 of that Act [42 U.S.C. 1704] is amended by adding the following new subsection at the end thereof:

" '(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State.'

"(c) Section 201 of that Act [42 U.S.C. 1711] is amended by adding the following new subsection at the end thereof:

" '(f) the term "continental United States" means the States and the District of Columbia.'

"Sec. 43. [Buy American Act; amendment.] Section 1(b) of Title III of the Act of March 3, 1933 (41 U.S.C. 10c (b)), is amended by striking out the word 'Alaska,'.

"Sec. 44. [Transitional grants.] (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President, for the purpose of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; the sum of \$3,000,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964; and the sum of \$23,500,000 for the period ending June 30, 1966.

"(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1966. In the event of such request, and in the event of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from appropriations made pursuant to subsection (a) hereof, and the amount of such funds shall be deducted from the amount of grants available to the State of Alaska pursuant to such subsection.

"(c) After the transfer or conveyance to the State of Alaska of any property or function pursuant to the Act of July 7, 1958 (72 Stat. 339) [set out as a note above], providing for the admission of the State of Alaska into the Union, or pursuant to this Act or any other law, and until June 30, 1966, the head of the Federal agency having administrative jurisdiction of such property prior to its transfer or conveyance may contract with the State of Alaska for the performance by such agency, on a reimbursable basis, of some or all of the functions authorized to be performed by it in Alaska immediately preceding such conveyance or transfer. (As amended Pub. L. 88-311, §§ 1, 2, May 27, 1964, 78 Stat. 201.)

"Sec. 45. [Transfer of property.] (a) If the President determines that any function performed by the Federal Government in Alaska has been terminated or curtailed by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July

1, 1966, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function, the assumption of which function is pursuant to this Act or the Act of July 7, 1958 (72 Stat. 339) [set out as a note above].

"(b) Structures and improvements of block 32 of the city of Juneau granted to the State of Alaska by section 6(c) of the Act providing for the admission of Alaska into the Union (72 Stat. 339, 340), shall include all furnishings and equipment in the structure known as the Governor's mansion, or used in the operation or maintenance thereof. (As amended Pub. L. 88-311, §sect; 2, May 27, 1964, 78 Stat. 201.)

"Sec. 46. [Claims Commission.] (a) In the event that any disputes arise between the United States and the State of Alaska prior to January 1, 1965, concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6(e) of the Act of July 7, 1958 (72 Stat. 339, 340) [set out as a note above], providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized (1) to appoint by and with the advice and consent of the Senate a temporary commission of three persons, to consider, ascertain, adjust, determine, and settle such disputes, and (2) to make such rules and regulations as may be necessary to establish such temporary commission or as may be necessary to terminate such temporary commission at the conclusion of its duties. In carrying out its duties under this section, such commission may hold such hearings, take such testimony, sit and act at such times and places, and incur such expenditures as the commission deems necessary. No commission shall be appointed under authority of this subsection after June 30, 1965.

"(b) The commission may, without regard to the civil service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties; and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency, or instrumentality for the services of any personnel utilized. The commission may establish such procedures, rules, and regulations as may be necessary to carry out its duties under this section.

"(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission. Each member of the commission shall be paid compensation at the rate of \$50 per day for each day spent in the work of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended, when away from his usual place of residence.

"(d) There are hereby authorized to be appropriated such sums as may be necessary to enable the commission to perform its duties under this section.

"Sec. 47. [Effective dates.] (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the

applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such Department for such one full year or, when such data for a two-year period are available, for such two years.

"(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958 [20 U.S.C. 442 (b) or 482], for fiscal years beginning July 1, 1959, and in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302 (a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

"(c) [Repealed. Pub. L. 86-624, § 47(g)(4), July 12, 1960, 74 Stat. 424.]

"(d) The amendments made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs (2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

"(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall apply in the case of deaths occurring on or after January 3, 1959.

"(f) The amendments made by paragraph (1) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

"(g) The amendments in sections 40 and 42 shall take effect when enacted: Provided, however, That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act [42 U.S.C. 1651 et seq.] (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act. (As amended Pub. L. 86-624, § 47(g)(4), July 12, 1960, 74 Stat. 424.)

"Sec. 48. [Definition of 'Continental United States'.] Whenever the phrase 'continental United States' is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the 49 States on the North American Continent and the District of Columbia, unless otherwise expressly provided.

"Sec. 49. [Other subjects.] The amendment by this Act of certain statutes by deleting therefrom specific references to Alaska or such phrases as 'Territory of Alaska' shall not be construed to affect the applicability or inapplicability in or to Alaska of other statutes not so amended.

"Sec. 50. [Separability.] If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"Sec. 51. [New Federal Loan Adjustments.] (a) The Secretary of Agriculture is authorized to compromise or release such portion of a borrower's indebtedness under programs administered by the Farmers Home Administration in Alaska as he finds necessary because of loss resulting from the 1964 earthquake and subsequent seismic waves, and he may refinance outstanding indebtedness of applicants in Alaska for loans under section 502 of the Housing Act of 1949 [42 U.S.C. 1472] for the repair, reconstruction, or replacement of dwellings or farm buildings lost, destroyed, or damaged by such causes and securing such outstanding indebtedness. Such loans may also provide for the purchase of building sites, when the original sites cannot be utilized.

"(b) The Secretary of Agriculture is authorized to compromise or release such portion of a borrower's indebtedness under programs administered by the Rural Electrification Administration in Alaska as he finds necessary because of loss, destruction, or damage of

property resulting from the 1964 earthquake and subsequent seismic waves. (Added Pub. L. 88-451, § 4, Aug. 19, 1964, 78 Stat. 505.)

"Sec. 52. [Compromise or Release of Notes or Other Obligations.] The Secretary of Housing and Urban Development is authorized to compromise or release such portion of any note or other obligation held by him with respect to property in Alaska pursuant to Title II of the Housing Amendments of 1955 [42 U.S.C. 1491-1497] or included within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955, as he finds necessary because of loss, destruction, or damage to facilities securing such obligations by the 1964 earthquake and subsequent seismic waves. (Added Pub. L. 88-451, § 4, Aug. 19, 1964, 78 Stat. 506, and amended Pub. L. 90-19, § 15(a), May 25, 1967, 81 Stat. 24.)

"Sec. 53. [Urban Renewal.] The Secretary of Housing and Urban Development is authorized to enter into contracts for grants not exceeding \$25,000,000 for urban renewal projects in Alaska, including open land projects, under section 111 of the Housing Act of 1949 [42 U.S.C. 1462], which he determines will aid the communities in which they are located in reconstruction and redevelopment made necessary by the 1964 earthquake and subsequent seismic waves. Such authorization shall be in addition to and separate from any grant authorization contained in section 103(b) of said Act [42 U.S.C. 1453 (b)]. "The Secretary may increase the capital grant for a project assisted under this section to not more than 90 per centum of net project cost where he determines that a major portion of the project area has either been rendered unusable as a result of the 1964 earthquake and subsequent seismic waves or is needed in order adequately to provide, in accordance with the urban renewal plan for the project, new locations for persons, businesses, and facilities displaced by the earthquake. (Added Pub. L. 88-451, § 4, Aug. 19, 1964, 78 Stat. 506, and amended Pub. L. 90-19, § 15, May 25, 1967, 81 Stat. 24.)

"Sec. 54. [Extension of Term of Home Disaster Loans.] Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (72 Stat. 387), as amended (15 U.S.C. 636 (b)), for the purpose of replacing, reconstructing, or repairing dwellings in Alaska damaged or destroyed by the 1964 earthquake and subsequent seismic waves, may have a maturity of up to thirty years: Provided, That the provisions of section 7(c) of said Act [15 U.S.C. 636 (c)] shall not be applicable to such loans. (Added Pub. L. 88-451, § 4, Aug. 19, 1964, 78 Stat. 506.)

"Sec. 55. [Modification of Civil Works Projects.] The Chief of Engineers, under the direction of the Secretary of the Army, is hereby authorized to make such modifications to previously authorized civil works projects in Alaska adversely affected by the 1964 earthquake and subsequent seismic waves as he finds necessary to meet changed conditions and to provide for current and reasonably prospective requirements of the communities they serve, at an estimated cost of \$10,000,000. (Added Pub. L. 88-451, § 4, Aug. 19, 1964, 78 Stat. 506.)

"Sec. 56. [Purchase of Alaska State Bonds.] The Secretary of Housing and Urban Development is authorized to purchase, in accordance with the provisions of sections 202(b), 203, and 204 of Title II of the Housing Amendments of 1955 [42 U.S.C. 1492 (b), 1493, and 1494], the securities and obligations of, or make loans to, the State of Alaska to finance any part of the programs needed to carry out the reconstruction activities in Alaska related to the 1964 earthquake and subsequent seismic waves or to complete capital improvements begun prior to the earthquake: Provided, That the aggregate amount of such purchase or loan shall not exceed \$25,000,000. (Added Pub. L. 88-451, § 4, Aug. 19, 1964, 78 Stat. 506, and amended Pub. L. 90-19, § 15(a), May 25, 1967, 81 Stat. 24.)

"Sec. 57. [Retirement or Adjustment of Outstanding Mortgage Obligation.] For the purpose of enabling the State of Alaska to retire or adjust outstanding home mortgage obligations or other real property liens secured by one to four family homes which were

severely damaged or destroyed in the March 1964 earthquake and subsequent seismic waves, the President is authorized to make additional grants to the State of Alaska in an amount not to exceed a total of \$5,500,000 to match, on a fifty-fifty basis, any funds provided by the State to pay the costs of retiring or adjusting such mortgage obligations. In order to be approved, a State application for a grant for carrying out the purpose of this section must: (1) be in accordance with a plan submitted by the State, to be approved by the President, for the implementation of the purpose of this section; (2) designate the State agency for retiring or adjusting said mortgage obligations; (3) provide that the mortgagor shall be required to absorb the damage loss to the entire extent of his equity interest in the property and also agree to pay at least \$1,000 of the outstanding mortgage balance; (4) provide that no payments for retiring or adjusting mortgage obligations on a single property shall exceed \$30,000; (5) provide regulations to assure equitable treatment among home owners and to prevent unjustified payments or gains to the State, mortgagees or mortgagors; and (6) provide that the State agency will make such reports, in such form and containing such information as the President may from time to time require, and give the President, upon demand, access to the records on which such reports are based." (Added Pub. L. 88-451, § 4, Aug. 19, 1964, 78 Stat. 507.)

Assistance to Alaska for Reconstruction of Areas Damaged by Earthquake

Pub. L. 88-451, Aug. 19, 1964, 78 Stat. 505, as amended, provided:

"[Section 1. Short Title.] That this Act may be cited as the '1964 Amendments to the Alaska Omnibus Act.'

"Sec. 2. [Congressional Declaration.] The Congress hereby recognizes that the State of Alaska has experienced extensive property loss and damage as a result of the earthquake of March 27, 1964, and subsequent seismic waves, and declares the need for special measures designed to aid and accelerate the State's efforts in providing for the reconstruction of the areas in the State devastated by this natural disaster.

"Sec. 3. [This section added subsec. (f) to section 21 of the Alaska Omnibus Act, Pub. L. 86-70, June 25, 1959, 73 Stat. 141, set out above.]

"Sec. 4. [This section added sections 51 to 57 to the Alaska Omnibus Act, Pub. L. 86-70, June 25, 1959, 73 Stat. 141, set out above.]

"Sec. 5. [Authorization of Appropriations.] There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, which shall be available for obligation until June 30, 1967, except that any sums so appropriated to carry out section 53 of the Alaska Omnibus Act [set out above] shall be available after such date for obligation in connection with one or more of the following urban renewal projects authorized for execution prior to June 30, 1967; Alaska R-8, Westchester; Alaska R-19, Kodiak; Alaska R-20, downtown Anchorage; Alaska R-21, Seward; Alaska R-22, Valdez; Alaska R-25, Mineral Creek; Alaska R-26, Seldovia; Alaska R-28, Cordova. There is also authorized to be appropriated such sums as may be necessary for the expenses of such advisory commissions or committees as the President may establish in connection with the reconstruction and development planning of the State of Alaska. The total amount authorized to be appropriated pursuant to this section shall not exceed \$55,650,000. (As amended Pub. L. 91-367, § 1, July 31, 1970, 84 Stat. 691.)

"Sec. 6. [Termination Date.] The authority contained in this Act shall expire on June 30, 1967, except that such expiration shall not affect—

"(1) the authority conferred by section 53 of the Alaska Omnibus Act [set out above] until the completion of the following urban renewal projects authorized for execution prior to June 30, 1967. Alaska R-8, Westchester; Alaska R-19, Kodiak; Alaska R-20, downtown Anchorage; Alaska R-21, Seward; Alaska R-22, Valdez; Alaska R-25, Mineral Creek; Alaska R-26, Seldovia; Alaska R-28, Cordova; or

"(2) the payment of expenditures for any obligation or commitment entered into under this Act prior to June 30, 1967.

(As amended Pub. L. 91-367, § 2, July 31, 1970, 84 Stat. 691.)

"Sec. 7. [Report to the Congress.] The President shall report semiannually during the term of this Act to the President of the Senate and the Speaker of the House on the actions taken under this Act by the various Federal agencies. The first such report shall be submitted not later than February 1, 1965, and shall cover the period ending December 31, 1964."

Delegation of Functions

Ex. Ord. No. 11230, under which the functions of the President under sections 44(a) and 45(a) of the Alaska Omnibus Act of June 25, 1959, set out above, were delegated to the Director of the Bureau of the Budget [now the Director of Management and Budget], was superseded by Ex. Ord. No. 11609, eff. July 22, 1971, 36 F.R. 13747, set out under section 301 of Title 3.

United States District Court of Alaska

Readiness of United States District Court for District of Alaska to assume functions imposed upon it, see Ex. Ord. No. 10867, eff. Feb. 20, 1960, 25 F.R. 1584, set out under section 81A of Title 28, Judiciary and Judicial Procedure.

Proc. No. 3269. Admission of the State of Alaska Into the Union

Proc. No. 3269, eff. Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, provided:

WHEREAS the Congress of the United States by the act approved on July 7, 1958 (72 Stat. 339) [set out above], accepted, ratified, and confirmed the constitution adopted by a vote of the people of Alaska in an election held on April 24, 1956, and provided for the admission of the State of Alaska into the Union on an equal footing with the other States of the Union upon compliance with certain procedural requirements specified in that act; and

WHEREAS it appears from information before me that a majority of the legal votes cast at an election held on August 26, 1958, were in favor of each of the propositions required to be submitted to the people of Alaska by section 8(b) of the Act of July 7, 1958 [set out above]; and

WHEREAS it further appears from information before me that a general election was held on November 25, 1958, and that the returns of the general election were made and certified as provided in the act of July 7, 1958; and

WHEREAS the Acting Governor of Alaska has certified to me the results of the submission to the people of Alaska of the three propositions set forth in section 8(b) of the act of July 7, 1958 [set out above], and the results of the general election; and

WHEREAS I find and announce that the people of Alaska have duly adopted the propositions required to be submitted to them by the act of July 7, 1958 [set out above], and have duly elected the officers required to be elected by that act:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby declare and proclaim that the procedural requirements imposed by the Congress on the State of Alaska to entitle that State to admission into the Union have been complied with in all respects and that admission of the State of Alaska into the Union on an equal footing with the other States of the Union is now accomplished.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington at one minute past noon on this third day of January in the year of our Lord nineteen hundred and fifty-nine, and of the Independence of the United States of America the one hundred and eighty-third.

Dwight D. Eisenhower. [seal]

Ex. Ord. No. 10857. Termination of Federal Functions in Alaska and Transfer of Property Held by United States

Ex. Ord. No. 10857, eff. Dec. 29, 1959, 25 F.R. 33, provided:

WHEREAS section 6(e) of the act of July 7, 1958, 72 Stat. 339 as amended [set out as a note above], provides that the administration and management of the fish and wildlife resources of Alaska shall be transferred to the State of Alaska on the first day of the first calendar year following the expiration of ninety calendar days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of such resources in the broad national interest; and

WHEREAS the Secretary of the Interior made such certification to the Congress on April 27, 1959; and

WHEREAS section 45(a) of the Alaska Omnibus Act (73 Stat. 152) [set out as a note above] provides that if the President determines that any function performed by the Federal Government in Alaska has been terminated by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function; and

WHEREAS it appears that it would be in the public interest to delegate to the Secretary of the Interior, to the extent hereinafter indicated, the authority vested in the President by section 45(a) of the Alaska Omnibus Act:

NOW, THEREFORE, by virtue of the authority vested in me by section 45(a) of the Alaska Omnibus Act (73 Stat. 152) and section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

Section 1. It is hereby determined that the functions performed by the United States in Alaska pursuant to the Alaska game law of July 1, 1943, 57 Stat. 301 [sections 192, 193, and 195 to 211 of this title], the act of June 26, 1906, 34 Stat. 478, the act of June 6, 1924, 43 Stat. 465, and the acts amending or supplementing such acts, will terminate on December 31, 1959, and that the same functions or substantially the same functions will be assumed by the State of Alaska.

Sec. 2. There is hereby delegated to the Secretary of the Interior, effective January 1, 1960, the authority vested in the President by section 45(a) of the Alaska Omnibus Act to transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with the functions described in section 1 hereof.

Sec. 3. The Secretary of the Interior is hereby authorized to redelegate to (1) the Assistant Secretary for Fish and Wildlife, (2) the Commissioner of Fish and Wildlife, (3) the Directors of the Bureaus of Commercial Fisheries and Sport Fisheries and Wildlife, and (4) the Regional Directors, Alaska Region, of the Bureaus of Commercial Fisheries and Sport Fisheries and Wildlife all or any part of the authority delegated to the Secretary of the Interior by section 2 hereof.

Sec. 4. All transfers and conveyances made under or pursuant to this order shall be made in accordance with such policies, conditions, and procedures as may be prescribed by the Secretary of the Interior.

Dwight D. Eisenhower.

Title 43 Section 1635. State selections and conveyances

(a) Omitted

(b) School lands settlement

(1) In full and final settlement of any and all claims by the State of Alaska arising under the Act of March 4, 1915 (38 Stat. 1214), as confirmed and transferred in section 6(k) of the Alaska Statehood Act, the State is hereby granted seventy-five thousand acres which it shall be entitled to select until January 4, 1994, from vacant, unappropriated, and unreserved public lands. In exercising the selection rights granted herein, the State shall be deemed to have relinquished all claims to any right, title, or interest to any school lands which failed to vest under the above statutes at the time Alaska became a State (January 3, 1959), including lands unsurveyed on that date or surveyed lands which were within Federal reservations or withdrawals on that date.

(2) Except as provided herein, such selections shall be made in conformance with the provisions for selections under section 6(b) of the Alaska Statehood Act. Selections made under this subsection shall be in units of whole sections as shown on the official survey plats of the Bureau of Land Management, including protraction diagrams, unless part of the section is unavailable or the land is otherwise surveyed, or unless the Secretary waives the whole section requirement.

(3) Lands selected and conveyed to the State under this subsection shall be subject to the provisions of subsections (j) and (k) of section 6 of the Alaska Statehood Act.

(c) Prior tentative approvals

(1) All tentative approvals of State of Alaska land selections pursuant to the Alaska Statehood Act are hereby confirmed, subject only to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), and the United States hereby confirms that all right, title, and interest of the United States in and to such lands is deemed to have vested in the State of Alaska as of the date of tentative approval; except that this subsection shall not apply to tentative approvals which, prior to December 2, 1980, have been relinquished by the State, or have been finally revoked by the United States under authority other than authority under section 11(a)(2), 12(a), or 12(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1610(a)(2), 1611(a), or 1611(b)).

(2) Upon approval of a land survey by the Secretary, such lands shall be patented to the State of Alaska.

(3) If the State elects to receive patent to any of the lands which are the subject of this subsection on the basis of protraction surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election. For townships having such adverse claims of record, patent on the basis of protraction surveys shall be issued as soon as practicable after such election.

(4) Future tentative approvals of State land selections, when issued, shall have the same force and effect as those existing tentative approvals which are confirmed by this subsection and shall be processed for patent by the same administrative procedures as specified in paragraphs (2) and (3) of this subsection.

(d) Prior State selections

(1) In furtherance of the State's entitlement to lands under section 6(b) of the Alaska Statehood Act, the United States hereby conveys to the State of Alaska, subject only to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), all right, title and interest of the United States in and to all vacant, unappropriated, and unreserved lands, including lands subject to subsection (l) of this section, which are specified in the list entitled "Prior State of Alaska Selections to be Conveyed by Congress", dated July 24, 1978, submitted by the State of Alaska and on file in the Office of the Secretary except those Federal lands which are specified in a list dated October 19, 1979, submitted by the State of Alaska and on file with the Office of the Secretary. If any of those townships listed above contain lands within the boundaries of any conservation system unit, national conservation area, national recreation area, new national forest or forest addition, established, designated, or expanded by this Act, then only those lands within such townships which have been previously selected by the State of Alaska shall be conveyed pursuant to this subsection.

(2) In furtherance of the State's entitlement to lands under section 6(a) of the Alaska Statehood Act, the United States hereby conveys to the State of Alaska, subject only to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), all right, title and interest of the United States in and to all valid land selections made from the national forests under authority of said section 6(a) which have been approved by the Secretary of Agriculture prior to July 1, 1979.

(3) As soon as practicable after December 2, 1980, the Secretary shall issue tentative approvals to such State selections as required by the Alaska Statehood Act and pursuant to subsection (i) of this section. The sequence of issuance of such tentative approvals shall be on the basis of priorities determined by the State.

(4) Upon approval of a land survey by the Secretary, such lands shall be patented to the State of Alaska.

(5) If the State elects to receive patent to any of the lands which are the subject of this subsection on the basis of protraction surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election for townships having no adverse claims on the public land records. For townships having such adverse claims of record, patent on the basis of protraction surveys shall be issued as soon as practicable after such election.

(6) Future valid State land selections shall be subject only to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(e) Future "top filings" Subject to valid existing rights and Native selection rights

under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), the State, at its option, may file future selection applications and amendments thereto, pursuant to section 6(a) or (b) of the Alaska Statehood Act or subsection (b) of this section, for lands which are not, on the date of filing of such applications, available within the meaning of section 6(a) or (b) of the Alaska Statehood Act, other than lands within any conservation system unit or the National Petroleum Reserve - Alaska. Each such selection application, if otherwise valid, shall become an effective selection without further action by the State upon the date the lands included in such application become available within the meaning of subsection (a) or (b) of section 6 regardless of whether such date occurs before or after expiration of the State's land selection rights. Selection applications heretofore filed by the State may be refiled so as to become subject to the provisions of this subsection; except that no such refiling shall prejudice any claim of validity which may be asserted regarding the original filing of such application. Nothing contained in this subsection shall be construed to prevent the United States from transferring a Federal reservation or appropriation from one Federal agency to another Federal agency for the use and benefit of the Federal Government.

(f) Right to overselect

(1) The State of Alaska may select lands exceeding by not more than 25 per centum in total area the amount of State entitlement which has not been patented or tentatively approved under each grant or confirmation of lands to the State contained in the Alaska Statehood Act or other law. If its selections under a particular grant exceed such remaining entitlement, the State shall thereupon list all selections for that grant which have not been tentatively approved in desired priority order of conveyance, in blocks no larger than one township in size; except that the State may alter such priorities prior to receipt of tentative approval. Upon receipt by the State of subsequent tentative approvals, such excess selections shall be reduced by the Secretary pro rata by rejecting the lowest prioritized selection blocks necessary to maintain a maximum excess selection of 25 per centum of the entitlement which has not yet been tentatively approved or patented to the State under each grant.

(2) The State of Alaska may, by written notification to the Secretary, relinquish any selections of land filed under the Alaska Statehood Act or subsection (b) of this section prior to receipt by the State of tentative approval, except that lands conveyed pursuant to subsection (g) of this section may not be relinquished pursuant to this paragraph.

(3) Omitted

(g) Conveyance of specified lands

In furtherance of the State's entitlement to lands under section 6(b) of the Alaska Statehood Act, the United States hereby conveys to the State of Alaska all right, title, and interest of the United States in and to all vacant, unappropriated, and unreserved lands, including lands subject to subsection (e) of this section but which lie within those townships outside the boundaries of conservation system units, National Conservation Areas, National Recreation Areas, new national forests and forest additions, established, designated, or expanded by this Act, which are specified in the list entitled "State Selection Lands May

15, 1978", dated July 24, 1978, submitted by the State of Alaska and on file in the office of the Secretary of the Interior. The denomination of lands in such list which are not, on December 2, 1980, available lands within the meaning of section 6(b) of the Alaska Statehood Act and this Act shall be treated as a future selection application pursuant to subsection (e) of this section, to the extent such an application could have been filed under such subsection (e) of this section.

(h) Limitation of conveyances of specified lands tentative approvals; surveys

(1) Lands identified in subsection (g) of this section are conveyed to the State subject to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.). All right, title, and interest of the United States in and to such lands shall vest in the State of Alaska as of December 2, 1980, subject to those reservations specified in subsection (l) of this section.

(2) As soon as practicable after December 2, 1980, the Secretary shall issue to the State tentative approvals to such lands as required by the Alaska Statehood Act and pursuant to subsection (i) of this section. The sequence of issuance of such tentative approvals shall be on the basis of priorities determined by the State.

(3) Upon approval of a land survey by the Secretary, those lands identified in subsection (g) of this section shall be patented to the State of Alaska.

(4) If the State elects to receive patent to any of the lands which are identified in subsection (g) of this section on the basis of protraction surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election for townships having no adverse claims on the public land records. For townships having such adverse claims of record, patent on the basis of protraction surveys shall be issued as soon as practicable after such election.

(i) Adjudication

Nothing contained in this section shall relieve the Secretary of the duty to adjudicate conflicting claims regarding the lands specified in subsection (g) of this section, or otherwise selected under authority of the Alaska Statehood Act, subsection (b) of this section, or other law, prior to the issuance of tentative approval.

(j) Clarification of land status outside units

As to lands outside the boundaries of a conservation system unit, National Recreation Areas, National Conservation Areas, new national forests and forest additions, the following withdrawals, classifications, or designations shall not, of themselves, remove the lands involved from the status of vacant, unappropriated, and unreserved lands for the purposes of subsection (d) or (g) of this section and future State selections pursuant to the Alaska Statehood Act or subsection (b) of this section:

- (1) withdrawals for classification pursuant to section 17(d)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(d)(1)); except that, in accordance with the Memorandum of Understanding between the United States and the State of Alaska dated September 2, 1972, to the extent that Public Land Orders Numbered 5150, 5151, 5181, 5182, 5184, 5187, 5190, 5194, and 5388 by their terms continue to prohibit State selections of certain lands, such lands

shall remain unavailable for future State selection except as provided by subsection (e) of this Act;

(FOOTNOTE 1)

(FOOTNOTE 1) So in original. Probably should be "subsection (e) of this section;"

(2) withdrawals pursuant to section 11 of the Alaska Native Claims Settlement Act (43 U.S.C. 1610), which are not finally conveyed pursuant to section 12, 14, or 19 of such Act (43 U.S.C. 1611, 1613, or 1618);

(3) classifications pursuant to the Classification and Multiple Use Act (78 Stat. 987);

(4) classifications or designations pursuant to the National Forest Management Act (90 Stat. 2949) as amended; and

(5) classifications, withdrawals exceeding 5,000 acres (except withdrawals exceeding 5,000 acres which the Congress, by concurrent resolution, approves within 180 days of the withdrawal or December 2, 1980, whichever occurs later), or designations pursuant to the Federal Land Policy and Management Act (90 Stat. 2743) (43 U.S.C. 1701 et seq.).

(k) Interim provisions

Notwithstanding any other provision of law, on lands selected by, or granted or conveyed to, the State of Alaska under section 6 of the Alaska Statehood Act or this Act, but not yet tentatively approved to the State:

(1) The Secretary is authorized to make contracts and grant leases, licenses, permits, rights-of-way, or easements, and any tentative approval or patent shall be subject to such contract, lease, license, permit, right-of-way, or easement; except that

(A) the authority granted the Secretary by this subsection is that authority the Secretary otherwise would have had under existing laws and regulations had the lands not been selected by the State, and

(B) the State has concurred prior to such action by the Secretary.

(2) On and after December 2, 1980, 90 per centum of any and all proceeds derived from contracts, leases, licenses, permits, rights-of-way, or easements or from trespasses originating after the date of selection by the State shall be held by the Secretary until such lands have been tentatively approved to the State. As such lands are tentatively approved, the Secretary shall pay to the State from such account the proceeds allocable to such lands which are derived from contracts, leases, licenses, permits, rights-of-way, easements, or trespasses. The proceeds derived from contracts, leases, licenses, permits, rights-of-way, easements or trespasses and deposited to the account pertaining to lands selected by the State but not tentatively approved due to rejection or relinquishment shall be paid as would have been required by law were it not for the provisions of this Act. In the event that the tentative approval does not cover all of the land embraced within any contract, lease, license, permit, right-of-way, easement, or trespass, the State shall only be entitled to the proportionate amount of the proceeds derived from such contract, lease, license, permit, right-of-way, or easement, which results from multiplying the total of

such proceeds by a fraction in which the numerator is the acreage of such contract, lease, license, permit, right-of-way, or easement which is included in the tentative approval and the denominator is the total acreage contained in such contract, lease, license, permit, right-of-way, or easement; in the case of trespass, the State shall be entitled to the proportionate share of the proceeds in relation to the damages occurring on the respective lands.

(3) Nothing in this subsection shall relieve the State or the United States of any obligations under section 9 of the Alaska Native Claims Settlement Act (43 U.S.C. 1608) or the fourth sentence of section 6(h) of the Alaska Statehood Act.

(l) Existing rights

(1) All conveyances to the State under section 6 of the Alaska Statehood Act, this Act, or any other law, shall be subject to valid existing rights, to Native selection rights under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), and to any right-of-way or easement reserved for or appropriated by the United States prior to selection of the underlying lands by the State of Alaska.

(2) Where, prior to a conveyance to the State, a right-of-way or easement has been reserved for or appropriated by the United States or a contract, lease, permit, right-of-way, or easement has been issued for the lands, the conveyance shall contain provisions making it subject to the right-of-way or easement reserved or appropriated and to the contract, lease, license, permit, right-of-way, or easement issued or granted, and also subject to the right of the United States, contractee, lessee, licensee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits previously granted, issued, reserved, or appropriated. Upon issuance of tentative approval, the State shall succeed and become entitled to any and all interests of the United States as contractor, lessor, licensor, permittor, (FOOTNOTE 2) or grantor, in any such contracts, leases, licenses, permits, rights-of-way, or easements, except those reserved to the United States in the tentative approval.

(FOOTNOTE 2) So in original. Probably should be "permitter,".

(3) The administration of rights-of-way or easements reserved to the United States in the tentative approval shall be in the United States, including the right to grant an interest in such right-of-way or easement in whole or in part.

(4) Where the lands tentatively approved do not include all of the land involved with any contract, lease, license, permit, right-of-way, or easement issued or granted, the administration of such contract, lease, license, permit, right-of-way, or easement shall remain in the United States unless the agency responsible for administration waives such administration.

(5) Nothing in this subsection shall relieve the State or the United States of any obligations under section 9 of the Alaska Native Claims Settlement Act (43 U.S.C. 1608) or the fourth sentence of section 6(h) of the Alaska Statehood Act.

(m) Extinguishment of certain time extensions Any extensions of time periods granted to the State pursuant to section 17(d)(2)(E) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(d)(2)(E)) are

hereby extinguished, and the time periods specified in subsections (a) and (b) of this section shall hereafter be applicable to State selections.

(n) Effect on third-party rights

(1) Nothing in this section shall alter the rights or obligations of any party with regard to section 12 of the Act of January 2, 1976 (Public Law 94-204), sections 4 and 5 of the Act of October 4, 1976 (Public Law 94-456), or section 3 of the Act of November 15, 1977 (Public Law 94-178).

(2) Any conveyance of land to or confirmation of prior selections of the State made by this Act or selections allowed under this Act shall be subject to the rights of Cook Inlet Region, Incorporated, to nominate lands outside of its region with such nominations to be superior to any selection made by the State after July 18, 1975, including any lands conveyed to the State pursuant to subsection

(g) of this section, and to the duty of the Secretary, with consent of the State, to make certain lands within the Cook Inlet Region available to the Corporation, both in accordance with the provisions of section 12(b) of the Act of January 2, 1976 (Public Law 94-204), as amended.

(3) Nothing in this chapter shall prejudice a claim of validity or invalidity regarding any third-party interest created by the State of Alaska prior to December 18, 1971, under authority of section 6(g) of the Alaska Statehood Act or otherwise.

(4) Nothing in this Act shall affect any right of the United States or Alaska Natives to seek and receive damages against any party for trespass against, or other interference with, aboriginal interests if any, occurring prior to December 18, 1971.

(o) Status of lands within units

(1) Notwithstanding any other provision of law, subject to valid existing rights any land withdrawn pursuant to section 17(d)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(d)(1)) and within the boundaries of any conservation system unit, National Recreation Area, National Conservation Area, new national forest or forest addition, shall be added to such unit and administered accordingly unless, before, on, or after December 2, 1980, such land has been validly selected by and conveyed to a Native Corporation, or unless before December 2, 1980, such land has been validly selected by, and after December 2, 1980, is conveyed to the State. At such time as the entitlement of any Native Corporation to land under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) is satisfied, any land within a conservation system unit selected by such Native Corporation shall, to the extent that such land is in excess of its entitlement, become part of such unit and administered accordingly: Provided, That nothing in this subsection shall necessarily preclude the future conveyance to the State of those Federal lands which are specified in a list dated October 19, 1979, submitted by the State of Alaska and on file with the Office of the Secretary: Provided further, That nothing in this subsection shall affect any conveyance to the State pursuant to subsections

(b), (c), (d), or (g) of this section.

(2) Until conveyed, all Federal lands within the boundaries of a conservation system unit, National Recreation Area, National Conservation Area, new national forest or forest addition, shall be administered in accordance with the laws applicable to such unit.

(p) PYK line

The second proviso of section 6(b) of the Alaska Statehood Act regarding Presidential approval of land selection north and west of the line described in section 10 of such Act shall not apply to any conveyance of land to the State pursuant to subsections (c), (d), and (g) of this section but shall apply to future State selections

Resolution HB 130 – University Land Issues

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Neets Creek

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UNIVERSITY
of ALASKA
Many Traditions One Alaska

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Fairbanks, AK 99775-5120

Mr. John Burke, General Manager
Southern Southeast Regional Aquaculture Association, Inc.
14 Borch Street
Ketchikan, AK 99901

February 28, 2005

Re: Proposed University Land Grant
Neets Creek Parcel

*Rejected -
1,500 acres
lease for 20 acres
No compromise
offered*

Dear Mr. Burke:

During the legislative public hearing process on HB130, your organization sought assurances from the University of Alaska (UA) regarding SSRAA's continued uninterrupted use of Neets Creek lease area for a hatchery and cost recovery operation after title is transferred from the State of Alaska to UA. This letter addresses certain assurances that UA will agree to should a land grant bill be passed including the Neets Creek parcel (KT.1004).

Our first assurance is that UA will work with SSRAA and the Department of Natural Resources (DNR) to secure a formal lease agreement prior to the transfer of property to UA. Based on information that we have received from the DNR, Lease ADL No. 226285 is near completion and major negotiating points have been reached.

We have also agreed to provide a deed restriction that will provide for a right of first refusal for SSRAA to purchase the leased property. The deed restriction includes a provision restricting UA from developing or utilizing the leased property in any manner that negatively affects the use or occupancy of the property by SSRAA so long as the lessee lawfully occupies the property, retains its non-profit status and maintains significant hatchery and recovery operations at Neets Creek, without the written consent of SSRAA.

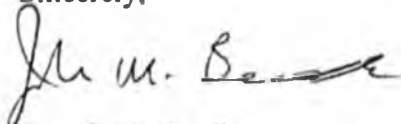
Attached please find draft deed restriction language that would be included in the transfer deed. UA is also proposing an amendment to HB130 (see attached), in section 6, subsection (b) that improves the public notice process and is intended to provide more engagement opportunity for affected land owners and the general public.

Mr. John Burke
Neets Creek Parcel
Page 2

We are confident that UA will be a good lessor and neighbor to SSRAA and look forward to more detailed interactions should this bill become law and should the Neets Creek parcel be transferred to UA.

Thank you for your communication efforts and courtesies extended to UA management as we work through this process.

Sincerely,



Joseph M. Beedie
Vice President for Finance

cc: House Resource Committee
DNR
Representative Jim Elkins

Attachments:
Deed Restrictions – Neets Creek
Public Notice Amendment

**NEETS CREEK
SOUTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION, INC.
DEED RESTRICTIONS**

ADD LANGUAGE TO THE "UNIVERSITY OF ALASKA LAND GRANT LIST."

[Insert for quitclaim deed from State of Alaska to the University of Alaska]

SUBJECT TO: Lease ADI No. 226285 (Southern Southeast Regional Aquaculture Association, Inc.). Grantee shall not develop or utilize the above Property in any manner which negatively affects the use or occupancy of the Property by the Lessee so long as lessee lawfully occupies the Property, retains its non-profit status and maintains significant hatchery and recovery operations at Neets Creek/Bay, without the written consent of the Lessee, which consent shall not be unreasonably withheld.

Lessee's Right of First Refusal. Before any of the above Property may be sold for the first time by the Grantee, the Lessee shall have a right of first refusal to purchase the Property on the terms and conditions set forth below (the "Right of First Refusal").

(a) **Notice of Proposed Transfer.** Grantee shall deliver to Lessee a written notice (the "Notice") stating: (i) Grantee's bona fide intention to sell all or a portion of the Property; (ii) the name of the proposed purchaser(s) ("Proposed Purchaser"); (iii) the bona fide purchase price or other consideration for which Grantee proposes to sell all or a portion of the Property (the "Offer Price"); and (iv) the material terms and conditions of the proposed offer (the "Offer Terms"). The Notice shall be deemed Grantee's offer to sell the Property (or the portion of the Property affected by the proposed sale) to Lessee at the Offer Price and on the same Offer Terms stated in the Notice.

(b) **Exercise of Right of First Refusal.** At any time within 90 days after receipt of the Notice, Lessee may, by giving written notice to Grantee, elect to purchase the Property at the Offer Price and on the same Offer Terms stated in the Notice.

(c) **Termination of Right of First Refusal.** The Right of First Refusal shall terminate as to the Property (or the portion of the Property affected by the proposed sale) 90 days after receipt by Lessee of the Notice.

(d) **Assignment of Right of First Refusal.** The Right of First Refusal shall not be assigned.

University Lands
HB 130
UA Public Notice Section 6 Amendment – March 3, 2005

Subsection (b) – Public Notice

In HB-130 the University proposed to amend subsection (b) of the existing AS 14.40.366 (2000 Senate Bill 7) to read as follows:

- (b) The University of Alaska shall give public notice of sales, leases, exchanges and transfers of lands conveyed to Board of Regents in trust for the University of Alaska under AS 14.40.365.**

Based on public testimony the university proposes to amend subsection (b) to read as follows:

- (b)(1) On lands conveyed to the Board of Regents in trust for the University of Alaska under AS14.40.365**

(A) the university shall seek public comment on proposals for land development, exchange, or sale;

(B) the Board of Regents shall adopt policies that require the preparation of land development plans and land disposal plans;

(C) the Board of Regents shall adopt policies requiring public notice of not less than 30 days prior to approval of land development plans and land disposal plans including

(i) notice of the proposed action to local legislators, municipalities and legislative information offices in the vicinity of the action and at other locations as the university may designate;

(ii) legal notice to be published in newspapers of general circulation in the vicinity of the proposed action at least once a week for two consecutive weeks; and

(iii) notice of the proposed action being published on state and university public notice websites.

(b)(2) As used in this section “development, exchange, or sale” does not include easements, rights of way or development of campus facilities.

Kodiak Launch Complex

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UNIVERSITY
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Many Traditions One Alaska

Mr. Jerome Selby, Mayor
Kodiak Island Borough
710 Mill Bay Road
Kodiak, Alaska 99615

February 28, 2005

**Re: Proposed University Land Grant
Kodiak Launch Complex**

Dear Mayor Selby:

Thank you for inviting the University of Alaska to meet with the Kodiak Island Borough Assembly on March 3, 2005. Mari Montgomery, Director of Land Management, and I are looking forward to an opportunity to listen to the Assembly's concerns regarding the transfer of the Kodiak Launch Complex (KLC) property, approximately 2,880 acres, to the University of Alaska under proposed House Bill 130 / Senate Bill 96, the state land grant legislation now pending in the State Legislature. In turn, we hope to explain why owning the KLC property is compatible with the University's core mission, reach a mutual understanding of the existing constraints on management of the KLC, and demonstrate the University's commitment to being a good neighbor.

The University of Alaska has been in the aerospace research business since at least 1930, when Veryl Fuller, the only member of the physics department at the Alaska Agricultural College and School of Mines, began to measure the height of the aurora using two specially designed, synchronized cameras. His work was completed by Ervin Bramhall, who published their results in 1937. Nine years later, Congress authorized an appropriation to establish the Geophysical Institute, in part because aurora activity interfered with high frequency military radio reception. Since that time, research interests at the Geophysical Institute have broadened to include space physics; atmospheric sciences; snow, ice, and permafrost; sedimentation and tectonics; seismology; volcanology; and remote sensing. Given Kodiak's location and geologic history, many of these areas of scientific inquiry by the Geophysical Institute appear to have already had direct benefit to the residents of your borough.

The University has operated the Poker Flat Research Range since 1968, it is the only university owned and operated high-latitude, auroral-zone rocket launching facility in the United States. The University's Geophysical Institute has launched over 1,600 meteorological missiles and 299 major, high-altitude sounding rocket experiments by scientists and technicians from a variety of federal agencies and international universities. The Poker Flat Research Range is located

Mr. Jerome Selby
Kodiak Launch Complex
Page 2

approximately thirty miles northeast of Fairbanks and compares closely to the KLC as to location, size, and distance to communities. The University has land use authorizations relating to its operations with the Bureau of Land Management; the Alaska Division of Mining, Land and Water (DMLW), the U.S. Fish and Wildlife Service; Doyon, Ltd.; and the Traditional Village Councils of Venetie and Arctic Village on a case by case basis to retrieve payloads and debris from their properties.

The area in which the University operates is in close proximity to a very populated area of Alaska and is bisected by the Steese Highway. This is a State of Alaska Department of Transportation (DOT&PF) maintained 162 mile long transportation corridor that serves numerous small communities, mining operations and popular recreation areas. The University's launch facility has co-existed peaceably in this area for more than thirty-five years with neighbors such as residential homeowners, downhill ski slope operators, tourism operators, miners, trappers, hunters, recreational trail users. Other compatible multiple uses in the area include the Fort Knox Gold Mine, Department of Army Seismic Sensing Station, Historical Chatanika Gold Camp, Chatanika Lodge, Upper Chatanika River State Recreation Area, McKay Creek Trailhead and Trail and White Mountains National Recreation Area.

During major launch operations the University is authorized by DOT&PF to close the Steese Highway for periods of no longer than 20 minutes. In addition to brief closures of the highway, during certain launches, the University offers to relocate and pay a per diem to several homeowners in close proximity to the launch facility. Notices of major launch activities are provided to the newspaper, local business owners and residents and posted at popular recreation trailheads. Simply put, the University has extensive experience in balancing the management of a launch facility with popular public use areas.

The Alaska Aerospace Development Corporation (AADC) occupies the KLC under an existing Interagency Land Management Assignment (ILMA) granted by the DMLW in 1994 and revised in 2003. Only the area identified for potential conveyance to the University is the area under the current ILMA. The conveyance would also be subject to Section 5 of the proposed legislation which states:

Sec. 14.40.365...(e) Land conveyed under this section to the Board of Regents in trust for the University of Alaska is subject to any valid possessory interest or other valid existing right, including any lease, license, contract, prospecting site, claim, sale, permit, right-of-way, or easement held by another person on the effective date of this section.

Other existing interests on the Kodiak Launch Complex include powerline easements, a grazing lease, the Loran Station lease, an Omnibus Act road, and material sites. The University regards the ILMA as the functional equivalent of a lease. The conveyance would be subject to all of these interests and easements, ensuring access to public and navigable waters.

The existing ILMA to the AADC includes the following terms and conditions, among others:

- The term is for 30 years, expiring May 17, 2024, and may be cancelled earlier for non-use.
- The ILMA may be renewed under the same terms and conditions as long as the land continues to be used for an orbital launch facility or other aerospace related activity.
- The ILMA assigns to AADC jurisdiction and management of the surface and so much of the subsurface estate as needed under the development plan.
- The Landlord may review "at regular intervals to analyze current and proposed uses as these uses relate to alternative uses for all or part of the land and to determine the uses which best provide for the public interest." (AS 38.04.060(b))
- Public access to state lands, tidelands and waterways shall not be blocked or restricted in any way on state land.
- AADC may restrict public access through the ILMA parcel to protect public safety and the assignee's improvements. (The DMLW currently interprets this to mean "during launches and hazardous operations.")

On January 27, 2004, the AADC requested additional management authority over Ugak Island and the mountaintops around the ILMA during launches and hazardous operations because of national security concerns. The request encompassed an additional 14,048 acres. On November 12, 2004, the Southcentral Regional Manager issued a Draft Decision that 1) proposed adding Ugak Island to the existing ILMA and 2) proposed an alternate procedure for managing public access. Under the Draft Decision, the Southcentral Regional Office of the DMLW will respond in writing to a written request from the AADC to restrict public access to the area outside of the existing ILMA on a case by case basis. While the comment period on the draft decision closed on January 14, 2005, a final decision has not yet been issued by the Regional Manager.

Given the terms of the existing ILMA, the University is constrained from interfering with the AADC's jurisdiction over the KLC. However, it appears that there are several opportunities for synergy between AADC programs and the existing research programs at the Geophysical Institute. These include learning from each other's experiences; testing methods, designs, and procedures; building on the Geophysical Institute's familiarity with commercial applications to expand capacity at the KLC; designing research projects that take advantage of both locations; and using the Kodiak facility for an observation site or a field station for other programs in the earth sciences, global climate change, and space and upper atmospheric sciences. The University fully understands that any of these initiatives will require the concurrence and cooperation of the AADC. In addition, should the AADC cease orbital launch activities for any reason, the University would be well positioned to use the existing facilities for its own research purposes.

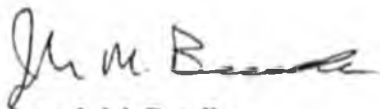
The University is aware of the contention over the existing and proposed activities at the KLC and the concern that University ownership of the KLC would further complicate these issues. We expect to learn more about local concerns at the meeting with the assembly. To demonstrate the University's commitment to being a good neighbor to the residents of the Kodiak Island Borough, should the pending legislation be enacted into law, we propose to provide a deed restriction granting the Kodiak Island Borough a 90-day right of first refusal for the Kodiak

Mr. Jerome Selby
Kodiak Launch Complex
Page 4

Launch Complex. This restriction would be recorded and would ensure the Borough's control over future uses of the property.

I am sending this letter in advance of the March 3rd Assembly Meeting with the hope that it will be included in the assembly packets distributed before the meeting. Please do not hesitate to contact me at the number shown above, or Mari Montgomery at 907-786-7766, should you have any questions. We look forward to a full and productive discussion of these issues next week in the hope of finding grounds for mutual understanding and support.

Sincerely,



Joseph M. Beedle
Vice President for Finance

cc: House Resource Committee
KIB Assembly Members

Attachments:

KLC, Deed Restriction
ILMA ALD# 226285 Information Points
HB 130 Public Notice Amendment
Kodiak Rocket Range Map

**KODIAK ROCKET RANGE
KODIAK ISLAND BOROUGH DEED RESTRICTIONS**

ADD LANGUAGE TO THE "UNIVERSITY OF ALASKA LAND GRANT LIST."

[Insert for quitclaim deed from State of Alaska to the University of Alaska]

SUBJECT TO: ILMA ADL. No. 226285 (Alaska Aerospace Development Corporation). Grantee shall not make any material amendments the ILMA without the written consent of the Kodiak Island Borough, which consent shall not be unreasonably withheld.

Kodiak Island Borough Right of First Refusal. Before any of the above Property may be sold for the first time by the Grantee, the Kodiak Island Borough ("KIB") shall have a right of first refusal to purchase the Property on the terms and conditions set forth below (the "Right of First Refusal").

(a) **Notice of Proposed Transfer.** Grantee shall deliver to KIB a written notice (the "Notice") stating: (i) Grantee's bona fide intention to sell all or a portion of the Property; (ii) the name of the proposed purchaser(s) ("Proposed Purchaser"); (iii) the bona fide purchase price or other consideration for which Grantee proposes to sell all or a portion of the Property (the "Offer Price"); and (iv) the material terms and conditions of the proposed offer (the "Offer Terms"). The Notice shall be deemed Grantee's offer to sell the Property (or the portion of the Property affected by the proposed sale) to KIB at the Offer Price and on the same Offer Terms stated in the Notice.

(b) **Exercise of Right of First Refusal.** At any time within 90 days after receipt of the Notice, KIB may, by giving written notice to Grantee, elect to purchase the Property at the Offer Price and on the same Offer Terms stated in the Notice.

(c) **Termination of Right of First Refusal.** The Right of First Refusal shall terminate as to the Property (or the portion of the Property affected by the proposed sale) 90 days after receipt by KIB of the Notice.

(d) **Assignment of Right of First Refusal.** The Right of First Refusal shall not be assigned.

ILMA: Interagency Land Management Assignment

- Defined as "an agreement between DNR and another state agency that transfers some land management responsibility to the other agency."
- University would accept title subject to the ILMA. UA considers it similar to a lease.

Provisions of 2003 ILMA

- 3,717 acres (Note: when the Loran Station lease terminates (2017 or earlier), that real property (87 acres) also becomes part of the ILMA.)
- Term is 30 years; expires May 17, 2024; may be cancelled earlier for non-use.
- May be renewed under the same terms and conditions as long as the land continues to be used for an orbital launch facility or other aerospace related activity.
- Assigns to AADC jurisdiction and management of the surface and so much of the subsurface estate as needed under the development plan.
- Subject to all valid existing rights, including lease, easements, and reservations of record.
- Landowner may review "at regular intervals to analyze current and proposed uses as these uses relate to alternative uses for all or part of the land and to determine the uses which best provide for the public interest." (AS 38.04.060(b))
- Public access to state lands, tidelands and waterways shall not be blocked or restricted in any way on state land.
- AADC may restrict public access through the ILMA parcel to protect public safety and the assignee's improvements. (DNR interprets this to mean "during launches and hazardous operations." See p. 3 of 11-12-04 Draft Decision)

AADC 2004 Expansion Application of January 27, 2004

- 14,048 acres.
- Area requested is NOT part of the original ILMA or the parcel currently proposed for conveyance to UA; (however, under DNR's Draft Decision, Ugak Island is proposed for addition to the ILMA, and DNR may intend for UA to include it in the Land Grant)
- AADC requested additional management authority over Ugak Island and mountaintops around the ILMA during launches and hazardous operations because of national security concerns.

DNR Draft Decision of November 15, 2004

- Opportunity for public comment ended January 14, 2005.
- Public Comments received:
 - Questioned the need for additional buffer.
 - Application not in compliance with NEPA and Land Management Requirements
 - Difficulty in predicting closure schedules: dates, length affect
 - Access to public land
 - Negative impact on recreation (hunting, fishing, hiking)
 - Negative impact on tourism
 - Believed part of a comprehensive land grab to convert Narrow Cape Area to a "launch-related exclusion zone"
 - Commercial Launch Complex has morphed into a strictly Military operation
- DNR is now considering comments received and preparing its final decision.

University Lands
HB 130
UA Public Notice Section 6 Amendment – March 3, 2005

Subsection (b) – Public Notice

In HB-130 the University proposed to amend subsection (b) of the existing AS 14.40.366 (2000 Senate Bill 7) to read as follows:

- (b) The University of Alaska shall give public notice of sales, leases, exchanges and transfers of lands conveyed to Board of Regents in trust for the University of Alaska under AS 14.40.365.**

Based on public testimony the university proposes to amend subsection (b) to read as follows:

- (b)(1) On lands conveyed to the Board of Regents in trust for the University of Alaska under AS14.40.365**

(A) the university shall seek public comment on proposals for land development, exchange, or sale;

(B) the Board of Regents shall adopt policies that require the preparation of land development plans and land disposal plans;

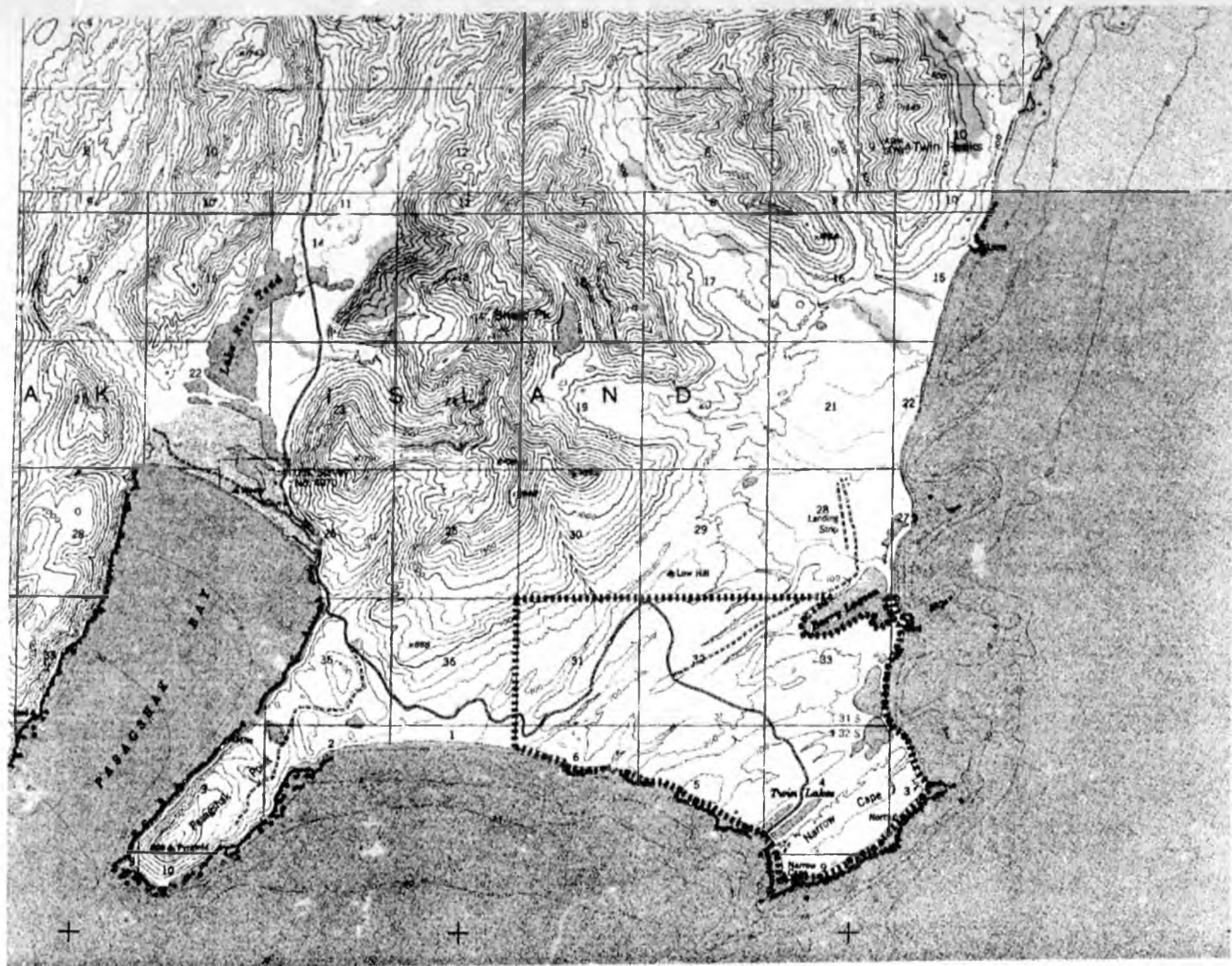
(C) the Board of Regents shall adopt policies requiring public notice of not less than 30 days prior to approval of land development plans and land disposal plans including

(i) notice of the proposed action to local legislators, municipalities and legislative information offices in the vicinity of the action and at other locations as the university may designate;

(ii) legal notice to be published in newspapers of general circulation in the vicinity of the proposed action at least once a week for two consecutive weeks; and

(iii) notice of the proposed action being published on state and university public notice websites.

- (b)(2) As used in this section “development, exchange, or sale” does not include easements, rights of way or development of campus facilities.**



Section 6
University Public Notice and Process

Municipal Entitlements Amendment

Page 9, following line 11:

Insert a new bill section to read:

Sec.9. AS 29.65.030 is amended by adding a new subsection to read:

(d) For the purpose of determining the general land grant entitlement under (a) of this section, the maximum total acreage of vacant, unappropriated, unreserved land within the boundaries of the municipality between the date of its incorporation and two years after that date shall be increased by the amount of land located within the boundaries of the municipality that is transferred to the University of Alaska under AS 14.40.365.

Proposed Amendment for Trails/Easements/Misc Errors

PROPOSED NEW LANGUAGE IN BOLD CAPS

Sec. 5. AS 14.40.365 is repealed and reenacted to read:

Sec. 14.40.365. University state-grant land. (a) Except as provided in (b) of this section, before July 1, 2008, the commissioner of natural resources shall convey to the Board of Regents in trust for the University of Alaska, by quitclaim deed, the state land identified for conveyance to the university and described in the document titled "University of Alaska Land Grant List 2005," dated January 12, 2005. **THE COMMISSIONER MAY MAKE MINOR ADJUSTMENTS TO THE MAPS OR LEGAL DESCRIPTIONS WHERE THE ORIGINAL MAPS AND DESCRIPTIONS CONTAIN OMISSIONS OR ERRORS.**

- (e) Land conveyed under this section to the Board of Regents in trust for the University of Alaska is subject to any valid possessory interest or other valid existing right including any lease, license, contract, prospecting site, claim, sale, permit, right-of-way, or easement held by another person, **INCLUDING FEDERAL, STATE OR MUNICIPAL AGENCIES** on the effective date of this section.

- (f) Before conveying land under this section, the commissioner of natural resources shall reserve access under AS 38.05.127, but other provisions of AS 38.04 and AS 38.05 do not apply to the commissioner's preparation for conveyance of land to the Board of Regents in trust for the University of Alaska under this section. **IN ADDITION TO ACCESS UNDER AS 38.05.127, THE COMMISSIONER MAY RESERVE IN THE CONVEYANCE DOCUMENT EXISTING TRAILS, ROADS, AND OTHER ACCESS ROUTES THAT PROVIDE PUBLIC ACCESS TO ADJACENT LANDS AND PUBLIC WATERS.**

Development/Acquisition Plans and Notice

P05.11.04

- A. The vice president for finance and planning shall:
1. Cause to be maintained and updated as needed, Campus Land Acquisition Plans for each campus. No real property may be acquired for campus development purposes unless acquired pursuant to an approved Campus Land Acquisition Plan or specifically approved by the Board.
 2. Create, maintain, and update biennially, Strategic Plans for the comprehensive management and development of Investment Property which include a statement of the goals and objectives to be accomplished in managing and developing Investment Property;
 3. Annually or as needed, and after consultation with affected campuses, prepare Development Plans which describe development projects on investment Property not previously presented to the Board;
 4. Prepare an Annual Report to the Board which contains: (i) a summary of progress made toward the goals and objectives stated in Strategic Plan(s), (ii) a summary of the financial performance of the Office of Land Management for the prior fiscal year, (iii) a summary of the status of projects covered in Development Plans, and (iv) other information relevant to University Real Property.
 5. To the extent practicable, provide notice of annual Development Plans, as follows:
 - a. Make copies of such Development Plan available at all campuses, state legislative information offices, and at other such locations as the University may designate;
 - b. Publish not less than sixty (60) days prior to the scheduled consideration by the Board of Regents a notice in major newspapers of general circulation in the state which provides the public with information on the locations where the Development Plan is available for public inspection and inviting public comment on the Development Plan;
 - c. Make copies of the Development Plan available to all legislators and organized boroughs and municipalities; and
 - d. Seek public comment on the Development Plan prior to consideration by the Board.
 6. Provide reasonable public notice for all sales, leases, exchanges or transfers of interests in University Real Property.
- B. In exercising its fiduciary responsibility, the Board will administer University Real Property for the exclusive use and benefit of the University, and recognize a societal obligation to consider the needs of the state, local governments, and the community as a whole. To assist in balancing these responsibilities and obligations, the University shall consider the following

principles in managing and developing University Real Property:

1. Fair Market Value. Disposals of University Real Property interests shall be at fair market value unless a direct and substantial benefit to the University can be documented, such as when adjacent University property will become more accessible, marketable and/or valuable because of increased availability of utilities or access, or because the transaction offers other tangible benefits to the University. Reasonable fees may be established for routine transactions such as easements, rights-of-way, permits and temporary uses of University Real Property.
2. Economic Feasibility. Development projects on Investment Property shall not be undertaken unless the estimated return exceeds the estimated cost of development in an amount commensurate with the risk involved or the project will position the University to take advantage of future opportunities.
3. Environmentally Sound Development. In developing University Real Property, the University shall adhere to all applicable environmental laws and regulations. In addition, the University shall:
 - a. follow generally accepted scientific theory as the basis for development decisions;
 - b. inventory and seek funding for clean-up of any contaminated sites and pursue recovery from parties responsible for such contamination; and
 - c. develop and harvest renewable resources in an environmentally responsible manner and employ such techniques that foster the sustained yield of the resource, including allocation of a portion of revenue realized from renewable resources to enhancing the growth and yield of such resources.
4. Jobs for Alaskans. Development projects which provide an opportunity for the creation of jobs for Alaskans will be pursued to the extent economically feasible and practicable by encouraging development of in-state value-added industries.
5. Public Participation. Processes and procedures will be established to provide for public input on investment property land and resource development projects that require Board approval under Regents' Policy 05.11.05 A2(d).
6. Access Through University Property. Subject to receipt of acceptable tort immunity for death, personal injury, and property damage occurring on University lands, the University will recognize, or provide alternative access for RS 2477 rights-of-way and existing state identified historic trails which cross Investment

Property.

In addition, procedures shall be established which provide for granting access easements and rights-of-way at fair market value (including provision for any diminution of value) to others who must cross Investment Property, provided that such easements do not interfere with the University's ability to develop or use its land.

7. Traditional and Customary Use. Subject to receipt of acceptable tort immunity for death, personal injury, and property damage occurring on University lands, the University shall develop guidelines consistent with the Board's fiduciary responsibility to accommodate traditional and customary use of Investment Property for hunting, fishing, trapping, recreational use, and gathering foodstuffs.
8. Compatible Investment and Research/Educational Use. Investment Property shall be made available to faculty and staff for research and educational purposes provided such use is compatible with development plans and approved by the vice president for finance and planning or his/her designee. Academic units will be responsible for all costs and liabilities associated with such research/educational use.

04-19-96

Juneau Empire

Bill would transfer land to University

JUNEAU - More than 500,000 acres of state and federal land would be transferred to the University of Alaska under proposals announced Friday by Gov. Frank Murkowski and U.S. Sen. Lisa Murkowski.

The governor said he planned to introduce a bill that would transfer 260,000 acres of state land to the university using a process that would take three years to complete and cost less than \$850,000.

University officials and the state Department of Natural Resources had spent much of the past year selecting the land, said Gov. Murkowski spokesman Mike Chambers. The land would be used as educational properties and investment properties to generate revenue.

The land includes 40,114 acres in Southeast Alaska, 17,110 acres in Southcentral Alaska and 202,776 acres in Interior Alaska.

The governor plans to introduce the bill on Monday, Chambers said.

"This land transfer will help fulfill the promise of a true land grant university. It provides a portfolio of income and educational properties to deliver to the University of Alaska both a steady and strong funding stream and the tools to expand its research capabilities," Gov. Murkowski said in a statement.

In Washington, D.C., Sen. Murkowski introduced legislation Friday to grant 250,000 acres of federal land to the university, with provisions to match the extra acreage of the state land grant.

The senator's bill would require the university to return about 10,000 acres it now holds in national parks and refuges, including in Denali National Park, Kenai Fjords National Park, Wrangell-St. Elias National Park, and in the Alaska Peninsula and Maritime National Wildlife refuges.

The university would be unable to choose any federal land classified as roadless, old-growth timber acreage in the Tongass National Forest or land used by federal or military institutions.

SITNEWS

~ Stories In The News ~

Ketchikan, Alaska www.sitnews.us

Governor and University Officials Craft Land Bill

February 06, 2005
Sunday

Fairbanks, Alaska - Governor Frank H. Murkowski announced Friday that he will introduce legislation that transfers 260,000 acres of state land to the University of Alaska system.

"This land transfer will help fulfill the promise of a true land grant university. It provides a portfolio of income and educational properties to deliver to the University of Alaska both a steady and strong funding stream and the tools to expand its research capabilities," Murkowski said.

The legislation creates a streamlined transfer of lands that have been selected by the University of Alaska over the course of the last year. It would supplant Senate Bill 7, passed in 2000, which created a complicated land transfer process estimated to last ten years and cost \$17 million. Governor Murkowski's proposal is expected to take three years to complete and cost less than five percent of the previous estimate.

"This land transfer strengthens the University of Alaska's ability to prepare its students for the jobs of the future," Murkowski said.

Governor Murkowski announced the legislation during a press conference at the University of Alaska Fairbanks campus. In attendance were several University Regents along with DNR Commissioner Tom Irwin, UAF Chancellor Steve Jones and University President Mark Hamilton.

"We appreciate the commitment, cooperation and support from the Governor and the Department of Natural Resources for its help in developing this proposal," Hamilton said.

In conjunction with the state efforts, Sen. Lisa Murkowski introduced legislation to grant 250,000 acres of federal land to the University of Alaska with provisions to match additional acreage with the state land grant on a one-to-one ratio. Overall, these efforts will help the University achieve the goal of being one of the premier land grant universities in the nation.

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Anchorage Daily News

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State land may end up with University of Alaska**LEGISLATION: Murkowski hopes lawmakers will approve transfer meant to benefit UA.**By LARRY PERSILY
Anchorage Daily News*(Published: February 5, 2005)*

JUNEAU -- Gov. Frank Murkowski is asking the Legislature to approve the transfer of 260,000 acres of state land to the University of Alaska, intended to provide the school with a new source of income for the years ahead.

The fast-track legislation, which will be introduced next week and already is scheduled for a hearing Wednesday in the House Resources Committee, identifies 71 parcels around the state, including 90,000 acres with potential natural gas resources in the Nenana Basin southwest of Fairbanks.

Many of the other parcels are recreational lands, including possible cabin sites.

The Southcentral parcels "are for the most part ... lands that will be turned into recreational subdivisions," said Bob Loeffler, director of the Division of Mining, Land and Water Management at the Department of Natural Resources.

The university could earn revenue by selling or leasing the parcels.

Murkowski's proposal comes after the Alaska Supreme Court a year ago rejected a challenge to a 2000 legislative measure to set up a 250,000-acre university land endowment. Then-Gov. Tony Knowles had vetoed the bill, arguing it was an ineffective and unreliable way to fund the university. The court struck down the veto, though no lands were ever transferred.

"This has been a long time coming," Murkowski said.

All but one of the properties would be transferred to the university within three years, according to the Department of Natural Resources.

"This land transfer ... provides a portfolio of income and educational properties to deliver to the University of Alaska both a steady and strong funding stream and the tools to expand its research capabilities," Murkowski said at a Friday afternoon press conference in Fairbanks.

None of the acreage currently produces any significant income,



Gov. Frank Murkowski wants to transfer land to the University of Alaska. ()



UA President Mark Hamilton: "We are thrilled with the opportunity." (Photo by Erik Hill / Anchorage Daily News)

Loeffler said. "There is an odd this and that," he said, such as a regional nonprofit hatchery at one of the Southeast Alaska sites, but no sizable rent or lease checks will immediately go to the university with the land transfers.

Click on photo to enlarge

Andex Resources holds an exploration license on some of the Nenana Basin land, west of the Parks Highway, and is exploring several public and private parcels in the area for natural gas potential. The company has not drilled any wells, though preliminary field work is under way this winter.

"We are thrilled with the opportunity," University President Mark Hamilton said before introducing the governor at Friday's press conference. "This is a man who believes in us."

Just a day before, however, Hamilton told a joint meeting of the House and Senate Finance committees in Juneau it could be years before the university earned significant money from such a land grant.

"We want the land, without a doubt. ... We need it. It's just not the kind of project that is going to meet the immediate needs of the university," said Hamilton, who was in Juneau for his annual plea for increased state funding for the university system.

"I don't believe that giving them this land is all that big of a favor," said Lance Trasky of Anchorage, a retired Department of Fish and Game biologist active in state and federal land-use issues. "I don't think they make that much off it over time."

In addition to the Nenana land, the governor is seeking legislative authority to transfer 47,000 acres in 44 parcels in Southeast Alaska and 39,000 acres in 14 other parcels in Southcentral and the Interior.

The proposal also includes 90,000 acres of "educational properties" statewide, the largest of which is 51,820 acres of Tanana Valley State Forest land southwest of Fairbanks that could become a university research forest.

Southcentral parcels include:

- 12,500 acres south and southwest of McCarthy.
- 1,000 acres near Willow Creek Road, formerly reserved for a new state capital.
- 450 acres near Frying Pan Lake, southwest of Willow.
- 280 acres at Deception Creek, east of Willow.

Department of Natural Resource officials said the entire list of parcels, maps and descriptions will be available on the department Web site Monday.

Other parcels in the governor's bill are:

- 960 acres at Summit Lake, west of the Richardson Highway. The region is a popular winter recreation area.
- 16,000 acres at Jarvis Creek, at the easternmost edge of the Nenana Basin, an area of coal potential.

- 2,880 acres used by the rocket launching facility at Kodiak.

Some of the parcels are best suited for commercial development, such as sites along the Dalton Highway, the Department of Natural Resources said. The Southeast lands generally are suited for remote recreational developments, some are for residential uses and some hold limited commercial timber potential, the department said in a booklet describing the properties.

The university will need to consider public access and fair allocation among different uses in managing the lands, said Rob Hardy of Wasilla, a registered big game guide and ecotourism operator.

Murkowski has worked for years, first as a U.S. senator and now as governor, to get enough land for the university to provide future income. Although he never won congressional approval for federal land transfers, he could succeed at moving state lands to the university if legislators accept his proposal.

Sen. Lisa Murkowski, meanwhile, introduced her own legislation Friday in the U.S. Senate, seeking 250,000 acres of federal land to match the governor's proposal. Sen. Murkowski's bill would allow the university to select from federal lands statewide, with prohibitions on taking lands within roadless areas in the Tongass National Forest and the National Petroleum Reserve-Alaska.

Daily News reporter Larry Persily can be reached at lpersily@adn.com, or in Juneau at 523-9306.

The list: "[University of Alaska Land Grant List Parcel Descriptions](#)"

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UA official: There's no reason to sell Narrow Cape land

Article published on Tuesday, Feb 08th, 2005

By WES HANNA

Mirror Writer

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A recent proposal by Gov. Frank Murkowski to grant 2,880 acres of state land at Kodiak Island's Narrow Cape to the University of Alaska system has caused concern that the land transfer would lead to the closure of the road system recreational lands.

Closures could be precipitated by the private ownership of land by the University itself or through transferring the land to the Alaska Aerospace Development Corporation, some Kodiak community members fear.

Several local people have contacted Kodiak Rep. Gabrielle Ledoux's office with concerns about the land grant bill, LeDoux legislative aide Christine Marasigan wrote in an e-mail.

However, university public relations officials said Monday that should the land be conveyed to the university, it was unlikely the university would turn around and sell it to the AADC.

"I can't imagine why we would sell it," said Kale Ripley, in the public relations office of the university system. "There is no reason we would."

The university system worked with the Alaska Department of Natural Resources to select the lands for the land conveyance bill announced Friday. The Narrow Cape lands were selected as "educational property" to further the education and research aspect of the university system. They were not selected as "investment property" for their income potential.

"This (educational) category includes twelve properties that are either important to current university educational or research programs or that can be developed for such programs," the overview land list from DNR states. "Their primary purpose is educational, not for revenue-generation."

Ripley said the Narrow Cape land would complement the rocket launch lands the University already manages at the facility at Poker Flat.

The Poker Flat Research Range is the world's only scientific rocket launching facility owned by a university. It is located approximately 30 miles north of Fairbanks and is operated by the University of Alaska's Geophysical Institute. Poker Flat is home to many scientific instruments designed to study the arctic atmosphere and ionosphere, according to information from its Web site.

"This dovetails so nicely with what we are already doing with Poker Flats," Ripley said.

In theory, if the land is conveyed to the university, it could sell the land, Ripley said. There is no promise that they wouldn't, but there would need to be a compelling reason for the university system to sell.

There has been some suggestion since University of Alaska president Mark Hamilton is also president of the board of AADC, he could decide to sell the lands to AADC.

But Ripley said a land sale on the magnitude of the 2,880 acres would go before the Board of Regents and would have its own open and public process.

Hamilton is scheduled to be in Kodiak on Thursday.

There are no current plans to develop the land, Ripley said.

All current land agreements would remain in effect should the land go to the university system, Ripley said.

These include the interagency agreement that allows the Kodiak Launch Complex to operate, a grazing lease owned by the Kodiak Game Ranch which expires in 2019 and a lease to the Coast Guard for the Loran station which expires in 2017.

In the future, perhaps 50 years down the road, the university may decide to regroup and make different use of the land to better benefit the university, Ripley said.

Nor is the university planning to limit public access to the area.

"Current access and public use areas are retained," the university land grant parcel description states, "including access to Fossil Beach."

Bob Loeffler, director of DNR division of Mining, Land and Water, said even if the land at Narrow Cape is conveyed to the university system, the road easements that allow access to the land and fossil beach would be preserved.

The university land grant bill has been introduced in the legislature as House Bill 130 and is on a fast track through the Legislature.

The legislation is written so the lands would be conveyed to the university system in the next three years.

Marasigan encouraged people to come to the legislative information office, located at 112 Mill Bay Road, tomorrow at 1 p.m. when the bill will be heard in the House Resources Committee of which LeDoux is a member.

"Our office encourages people to listen in and comment at the LIO office," Marasigan wrote.

Mirror writer Wes Hanna can be reached via e-mail at whanna@kodiakdailymirror.com.

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STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

Division of Mining, Land and Water

Director's Office Phone: (907) 269-8600

FAX: (907) 269-8904

Fax Transmittal Memo

Date: March 3, 2005

To: Rep. Jay Ramras

Fax #: 907-465-2070

Telephone #:

From: Robert Loeffler

Number of Pages Including Cover Sheet: 3

Please call (907) 269-8600 if you have a problem receiving any part of this fax.

Comments:

"Develop, Conserve and Enhance Natural Resources for Present and Future Alaskans"

STATE OF ALASKA

FRANK MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water

550 West 7th Ave.; Suite 1070
Anchorage, AK 99501
Telephone: (907) 269-8600

March 3, 2005

The Honorable Representative Harry Crawford
State Capital
Juneau, Alaska 99801

Dear Representative Crawford:

Yesterday after the House Resources Committee hearing on HB 130, the University Land bill, you asked me two questions concerning possible native allotment conflicts:

- possible native allotment conflict with the proposed Lisianski Peninsula conveyance; and
- possible Native Allotment conflict with the proposed Biorka Island conveyance;

You also handed me information about the two potential conflicts in a letter from the Sitka Tribe of Alaska. I appreciate the information and would like to take this opportunity to respond.

Lisianski Peninsula Native Allotments. The letter from the Sitka Tribe of Alaska indicates that there are three native allotments adjacent to but not in conflict with the proposed Lisianski Peninsula conveyance. They assert that these adjacent allotments would be "irreversibly damaged" by University ownership if they were developed as remote settlement areas.

I do not believe that the presence of adjacent allotments makes a university conveyance inappropriate. Specifically, state management would not be significantly different than University management for these parcels. DNR is unlikely to refrain from development on 1,443 acres along more than six miles of coastline because of the nearby allotments. A multi-year land use plan with extensive public process came to a similar conclusion. Let me explain.

In 2002, DNR finished the Northern Southeast Area Plan that includes these parcels (identified as B-06, B-07, and B-07 in the Plan). The designation for the parcels is general use, and the management intent provides that the parcels are "to be managed for multiple uses including dispersed recreation and remote settlement." The plan's intent also indicates that the remote settlement is unlikely in the near future, and should not occur until better access occurs and until more accessible state lands are developed. However, in summary, DNR concluded, after a multi-year planning process with extensive public participation, that these parcels should be included in a development category and should be used eventually for remote settlement.

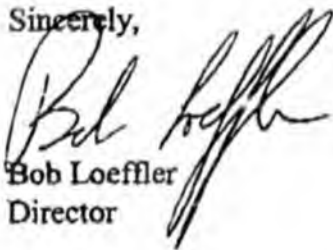
Put another way, DNR concluded that the nearby land ownership (including native allotments) was not incompatible with development. In fact DNR's management under the Area Plan would be similar to that likely by the University. I hope this answers your concerns about this parcel.

Biorka Island Potential Native Allotments. The effect of the potential Native Allotments on the proposed Biorka Island conveyance is different from those of Lisianski Peninsula. That allotment, a portion of which has already been approved by BLM, was excluded from the state's ownership on Biorka Island. If the heirs of Mr. Walton file a reinstatement application with BLM, and BLM approves that application, the area of the reinstated application is automatically excluded from state ownership. This problem may affect the acreage that the University ultimately obtains. However, University ownership will not affect the fate of Mr. Walton's allotment. That fate rests with BLM.

You also asked a question about the location of a seal or sea-lion haulout near the proposed Biorka Island conveyance. I am still trying to find information about that but will relay the information when I have it.

I hope this is helpful. I apologize for not getting you information you requested sooner. If you need anything else, please let me know (and I promise to respond as soon as possible).

Sincerely,


Bob Loeffler
Director

Cc: Representative Ramras
Representative Samuels