



1605 HOUSE RESOURCES

acres, "which is a smaller number of acres than is usually given an agricultural college or school of mines." (U.S. House 1915: 5) Wickersham himself said on the floor of the House that the Alaska Agricultural College would receive only a total of 80 sections (51,200 acres). Another congressman claimed the reserve would be about 180,000 acres, while another claimed "it would be even more than that." (Congressional Record, 24 February 1915: 4544-4545) Still later the Dept. of Interior estimated that the Section 33 grant totaled 336,000 acres. (U.S. Dept. of Interior, 1929: 3)

Confusion stemmed mostly from the fact that virtually none of the land under consideration had yet been surveyed, so no one could have known exactly how many sections were potentially included in the reserve. (According to calculations made years later by University of Alaska administrators, the total Section 33 land reserved for Alaska's land-grant college under the 1915 measure comprised 420 sections or 268,800 acres. (Patty to Egan, 8 February 1960, Pres. Papers, 60/61, Box 14, File 204)

The lack of surveys not only caused confusion about the size of the Alaska Agricultural College's reservation, it also effectively cancelled the value of the reservation itself. The land set aside in 1915 was clearly predicated on surveys; obviously, the specific sections reserved for education could not be reserved until after they had been delineated. The first line in the 1915 law stated in part that the educational lands could be reserved only "when the public lands of the Territory of Alaska are surveyed, under direction of the Government of the United States..." Considering the pace at which the federal government was completing the rectangular survey of Alaska, the college could have literally waited until the next ice age, or longer, to receive all of its land. In 1915, the General Land Office had hardly even begun the task of surveying the Territory. Even four decades later, in 1952, only about 0.6 percent of Alaska's estimated area of 375 million acres had been surveyed. One politician predicted in the early 1950s that at the going rate of land surveys, it would take between 12,000 and 17,000 years to finish the job, while a less optimistic report from the Territorial Division of Lands estimated it might take as long 43,510 years! (U.S. House, Statehood For Alaska, 1957: 321; Chipperfield 1954: 4) Not until after statehood in the 1960s did the U.S. government finally begin to survey sizeable portions of the public domain in Alaska. (Ducker 1992)

Without surveys, the 1915 congressional school land reservations in Alaska for both public schools and the land-grant college remained empty promises. Out of the estimated 20 million acres that the 1915 grant reserved for the public schools of Alaska, the Territory of Alaska ultimately received only about 106,000 acres, or 0.5 percent of the original reservation. (Chipperfield 1954: 2; Stein 1987: 7)

The land-grant college's expected Tanana Valley land grant never materialized either. In 1958, the university reported that only 19 Section 33s—out of a possible total of 420 Section 33s in the Tanana Valley—had been surveyed. "At present rate of survey," the university's land manager reported in 1958, "one might expect completion of survey in from 200 to 1,000 years." (Land Manager Report, 20 May 1958, Pres. Papers, 1958/59, Box 6, File 88) According to figures from the State Division of Lands, out of the 1915 reservation, Alaska's land-grant institution ultimately received only 11,211 acres, of which about 2,250 acres were the campus site reserved for educational purposes, leaving only 8,961 acres for revenue purposes. Thus, the University of Alaska was granted less than 3.3 percent of the 268,800 acre Tanana Valley reservation Congress created for its financial support in 1915. (Stein 1987: 167)

LACK OF LAND INCOME

The lack of land was clearly seen in the university's balance sheet. During the University of Alaska's first three decades, from 1917 to 1946, the total revenue to its permanent fund from land sales, rentals, and leases was only \$227.50. During that time, the university's land income never amounted to more than \$30 a year. Other years were even worse. From 1926-1928, Alaska's alleged land-grant college earned only 75 cents from its land grant. Nearly every third year, until the late 1940s, the UA

difficult position. The university had numerous dealings with Interior Department officials and Bunnell could not afford to alienate them. "If you are disinclined to write a letter that I can use before the Committee," Dimond wrote Bunnell, "will you not at least with your superior knowledge of the entire subject, write me a memorandum which I may adopt in whole or part as my own without bringing your name into the controversy." (Dimond to Bunnell, 6 April 1937) If Bunnell ever wrote the memo which Dimond requested, it has not yet come to light.

In 1938, the university selected 1,927 acres near Fairbanks for its first quantity grant under the 1929 law. (Stein 1987: 7) Nevertheless, the Interior Department continued to thwart Dimond's and Bunnell's efforts to reserve additional land for the university. "The Department of the Interior is still vigorously opposed to having set aside for the University of Alaska any more of the public lands in the Territory...." Dimond wrote to Bunnell in February 1941. (Dimond to Bunnell, 11 February 1941)

A month later Dimond further explained: "The Department's argument against the bill seems to be based upon the theory that plenty of land has already been reserved for the University of Alaska and no more is needed. Specific reference was made to the fact that the grant of 100,000 acres made to the Territory of Alaska for the benefit of the University... has not yet been selected except for approximately 2000 acres..." (Dimond to Bunnell, 12 March 1941)

By the time Dimond introduced his 10 million acre bill for the fifth and last time in 1943, he had apparently resigned himself to the Interior Department's unwavering opposition. As Dimond expected, the Interior Department responded once again with a negative recommendation. Acting Secretary Abe Fortas wrote in July 1943 that Delegate Dimond's proposed 10 million acre reserve, added to the more than 20 million acres previously reserved in 1915 for common schools and higher education in Alaska, would create a gigantic educational reserve of more than 30 million acres which Alaska did not need.

"Such an amount would be greatly in excess of the grants of public land made to any of the States," Fortas wrote, "and, considering the comparatively small population of the Territory of Alaska, approximately 60,000, an additional reservation of the amount proposed for educational purposes, would seem unwarranted and greatly out of proportion to the present or contemplated need of the Territory." (Fortas to Peterson, 19 July 1943)

In 1944, E. L. "Bob" Bartlett replaced Dimond as Alaska's Delegate to Congress. Bartlett told Bunnell he would resubmit Dimond's 10 million acre reservation proposal, but claimed it would be futile as the Interior Department would continue to thwart the measure. "I have no doubt that if I introduce a bill seeking the same objective a similar report will be made," Bartlett wrote, "but I am perfectly willing to do so in any event if such is your desire." (Bartlett to Bunnell, 30 December 1944)

Apparently Bartlett did not reintroduce Dimond's university land measure, as by that time a new force had arisen which would drastically alter Alaska's political landscape and the land question: the Alaska statehood movement.

IV. THE STATEHOOD MOVEMENT

In 1916, one year after Congress reserved more than a quarter of a million acres in the Tanana Valley to finance a land-grant college in Fairbanks, James Wickersham submitted the first bill requesting statehood for Alaska. Wickersham introduced his statehood bill, a symbolic gesture with no real hope of passage, on the 49th anniversary of the signing of the Alaska Purchase Treaty. He patterned his measure after the statehood act of Oklahoma, supplanting the generous grants of money and land for education would find favor with Democrats, traditional supporters of state's rights, who at the time controlled both Congress and the White House. (Atwood 1979: 306)

500,000 acres for miscellaneous internal improvements, and approximately 438,000 acres for the support of the University of Alaska. (Under Gardner's proposal, the university's total acreage would consist of the 2,250 acre campus, the 1915 Tanana Valley Section 33 reservation—erroneously calculated by Interior to be about 336,000 acres—and the 1929 land grant of 100,000 acres.) (U.S. House 1947: 14)

In the spring of 1948, Delegate Bartlett and the Interior Department compromised on the size of the statehood land-grant proposal; both agreed to support a grant of four sections in each township (Sections 2, 16, 32 and 36) totaling about 40 million acres, and to reassert the University of Alaska's rights to the entire 1915 Tanana Valley Section 33 grant, i.e. about 268,000 acres, and the 1929 grant of 100,000 acres. (U.S. House 1949: 2) Bartlett and other strong statehood supporters admitted that they would have preferred to ask for more land, but that political reality at the time dictated that four sections per township, plus Section 33 in the Tanana Valley, was the best deal Alaska could hope to receive. As retired Delegate Dimond told a Senate committee in 1950, "...we have to take this or we do not get anything." (U.S. Senate 1950: 75)

Nevertheless, others still maintained that unless Alaska received more land, it could never become economically viable as a state. Two statehood bills introduced in 1949 again repeated the original Dimond-Bartlett position: all public land not needed by the federal government, in addition to about 20 million acres for public schools (every Section 16 and 36) and about 10 million acres for the support of the University of Alaska (every Section 33). (H.R. 25 and H.R. 2300, 81st Congress, 1st Session)

FROM IN-PLACE TO QUANTITY GRANTS

Congress moved towards a revolutionary solution to the Alaska state land question in 1950, when it rejected traditional in-place grants of specific sections, and endorsed the concept of quantity grants of larger blocks of open acreage. Ironically, the most eloquent case for changing the manner in which Alaska's land would be granted, and for also granting Alaska additional land, probably originated with statehood's most vocal opponent, Winton C. Arnold, chief lobbyist and publicist for the Alaskan canned salmon industry. (Naske 1972)

At numerous congressional statehood hearings, Arnold showed charts and graphs illustrating that at the rate the rectangular survey was being extended to Alaska, it would literally take thousands of years to complete the task. (As noted previously, estimates in the 1950s were that it might take anywhere from 12,000 to 42,510 years to survey all of Alaska.) For instance, Arnold tabulated the history of land surveys in the last ten states admitted into the union, from North Dakota (1889) to Arizona (1912). On the date of admission, the percentage of surveyed land in the new states ranged from a minimum of 20 percent in Idaho, to a maximum of 100 percent in Oklahoma. By contrast, Arnold noted that only 0.672 percent of Alaska had been surveyed by 1950. (U.S. Senate 1950: 414) Since Alaska could not receive title to a specific section of land until it had been surveyed, the state would virtually have to wait forever to receive all of its land, and Arnold maintained that therefore statehood was not a practical option for Alaska.

Instead of ruling out statehood, however, the slow pace of surveys merely convinced the Senate Committee on Interior and Insular Affairs, as Bob Bartlett wrote, to adopt a "bold and precedent shattering way in determining how land should be transferred to the new state." (Naske 1972: 8) In 1957, the year before Congress finally voted to admit Alaska into the Union, Bob Bartlett recalled that during its deliberations in 1950, the Senate committee

evolved an entirely new principle in respect to land grants. Its decision was that the historic manner of passing on to the new state numbered sections after the survey should be discarded. Substituted, therefore, was the provision which has remained in every statehood bill since, namely the extraordinarily liberal and, I believe for Alaska, advantageous principle that the state should be allowed to select what land it desired from the

103,350,000 acre proposed statehood entitlement, consisting of 500,000 acres for the University of Alaska and 500,000 acres for the support of teachers' colleges or normal schools. (See Table No. 1)

TABLE NO. 1

Typical Calculation of Acreage in proposed Alaska Statehood Bills, 1953-1957

1. 100 million acres—General open grant, no restrictions.
2. 800,000 acres—Community Development Grants—to be used for expansion of communities. Half of acreage would come from the public domain, half from national forest land.
3. 2,550,000 acres—for various specified state functions and internal improvements enumerated as follows:
 - 500,000 acres—University of Alaska
 - 500,000 acres—teachers' colleges
 - 500,000 acres—public buildings
 - 200,000—schools and asylums
for the deaf, dumb, and blind
 - 200,000 acres—penitentiaries
 - 200,000 acres—mental institutions
 - 200,000 acres—charitable, penal and reformatory institutions
 - 250,000 acres—pioneer homes

(U.S. House 1953: 17)

PROPOSED ELIMINATION OF 1915 RESERVE

By the early 1950s, it seemed likely that if and when Alaska achieved statehood, the University of Alaska would receive its long-delayed increase in the size of its land grant. Invariably, all of the statehood bills before Congress addressed the need to give the university additional land. But impending statehood also raised fears in the Territory of cancellation of the 1915 public school and university land reservation. Given that Congress had rejected the concept of in-place grants in favor of quantity grants, it seemed reasonable to many lawmakers, including Delegate Bob Bartlett, that Congress should revoke the 1915 reservations and substitute a larger quantity grant.

The Territorial Department of Land warned in a December 1954 report that Alaska was in danger of potentially losing the millions of acres which the United States had reserved for Alaska education almost three decades earlier. The statehood bill then under consideration (See Table No. 1) would repeal the 1915 school land reservation, and though it would provide up to one million acres specifically for the support of higher education (500,000 acres for the University of Alaska and 500,000 acres for teachers' colleges), it would not provide specific acreage to support the school system, traditionally the prime justification for granting land to states. The report recommended that some means be found to guarantee that land be granted to support Alaska schools, just as was being done for higher education with internal improvement land under the proposed statehood bill.

There may be no objection to the repeal of the school reservation act providing some other provision is made to grant the school system 20,101,488 acres, an amount equal to the amount it would have received under that act. The original and chief purpose of making grants of land to states was for benefiting the public schools. The proposed legislation... provides grants for many other state institutions and purposes for which grants are generally made but the most important grant for the public schools is not provided for. In fact, the school system would lose the reservations that have been previously granted. (Chipperfield 1954: 13-14)

would prefer that no distinction be made by the terms of the statute, but that, instead, the proceeds from all the granted sections be set aside for the common support of the schools and the University, and that the Territorial government be given discretion in the distribution of proceeds between these two educational purposes. (Aandahl to Rep. Engle, U.S. House, National Archives, RG 233, Box 113, H.R. 6242)

The bill to grant school and university sections directly to the Territory failed, as did another measure introduced by Bartlett in 1955 which would have granted millions of acres directly to the Territory of Alaska without waiting for statehood. This bill would have repealed the 1915 school and university reservation, and simultaneously granted the Territory the right to select up to 20 million acres from the public domain, approximately the amount of land that could have been reserved under the 1915 act.

The Interior Department agreed with the spirit of Bartlett's bill, which called for in-place grants to be replaced with a quantity grant.

A grant of school sections in place is a grant of lands widely dispersed on a geographical basis. Such a grant gives the recipient, within limits, a fair proportion of the various classes of lands within its boundaries, the good as well as the bad. Since the grantees's holdings are distributed over a wide area, large-scale exchange programs are required, as we have learned by experience, to bring the holdings together into manageable and economical units...

A very large proportion of the land in Alaska does not appear to promise, for the reasonably near future, any substantial economic return. A grant of school sections in place would, therefore, leave the Territory with a large body of widely dispersed holdings, needing management and protection and yielding little in the way of revenues. (Assistant Secy to Rep. Engle, RG 233, U.S. House, National Archives, Box 97A, H.R. 246)

Though the Interior Department favored quantity grants in principle, the department opposed revoking the 1915 school and university section reservation on the grounds that the Territory was not yet ready to manage 20 million acres. Rather, the Assistant Secretary of the Interior suggested granting three million acres immediately to the Territory as the first installment of a large quantity grant that would eventually replace the 1915 reservations. Furthermore, Interior Department officials suggested that the revenue from the three million acres be divided as follows:

- 20%—public schools
- 20%—University of Alaska
- 20%—University of Alaska Teacher Training
- 40%—discretion of the legislature

(Assistant Secy to Rep. Engle, 23 May 1956, RG 233, U.S. House, Box 97A, H.R. 246)

UA CAMPAIGN FOR ADDITIONAL GRANT LAND

Charles Bunnell's successors as University of Alaska president, Terris Moore (1949-1953, and Ernea Patty (1953-1960), both recognized the necessity for the university to gain additional land if it was to be placed on a secure financial footing. President Patty noted in 1955 that the university had virtually no income at all from its small amount of surveyed Section 33 land in the Tanana Valley, which he claimed was predominantly "moose pasture" anyway. He estimated the UA's total income from the Tanana Valley land reservation was only about \$20 a year. (Patty to Sen. Anderson, 21 July 1955, UA Pres Papers, 1955/56, Box 5, File 93)

President Patty made the acquisition of additional grant land and the repeal of the restrictions on existing university land—especially the prohibition against selecting mineral lands, and the ten-year leasing limit, which eliminated the possibility of any private investments on educational land—primary goals of his admin-

opposed attempts to dedicate state land for specific purposes. Looking back on the issue in 1964, then Senator Bartlett explained his reasoning to Gov. William A. Egan. He had always opposed dedicated land grants, he said, because he did not want to see the chaotic inter-agency bickering which had plagued Alaska during Territorial days, the same fear which led Alaska's constitutional framers to create a powerful executive branch. Bartlett continues:

I have a particularly strong feeling on this because at many times during consideration of the statehood bill, efforts were made to set aside this amount of land or that amount of land for the common schools and for other educational uses. I always resisted these and, as it turned out, successfully. My conviction was—and is—that notwithstanding the possible need for such reservations in the early statehood bills, the reasons for such have long since evaporated. I suspect that in those days there was not the dedication or devotion to education which has since come into being and it was felt that an assured source of income must be provided for the schools. This is not so in these days... (If dedication is made for one institution or one purpose, what argument could be made against expanding? None, of course. The philosophy here is closely akin, as I believe, to board control of a state agency with the Governor serving only as a figurehead. If it is done for one department of government, then almost necessarily it must be done for all. Once we are there, we have the chaos of territorial days all over again. (Bartlett to Egan, 8 June 1964, UA Pres Papers, 1963/64, Box 14, Folder 212)

V. THE LAND-GRANT COLLEGE WITHOUT THE LAND

LOSS OF A QUARTER-MILLION ACRES DUE TO STATEHOOD

The passage of the Statehood Act in 1958, without any provision for land specifically dedicated for the support of the University of Alaska, ended for the time being at least the possibility of getting additional land from the federal government. But even more critical from the point of view of the university was its loss of the balance of the Tanana Valley Section 33 reservation—more than a quarter million acres. The statehood act cancelled the 1915 reservation of educational lands, stopping any further lands under the act from being reserved once they were surveyed, though reaffirming the university's rights to any acreage already surveyed, selected, and reserved.

University attorney Ed Merdes wrote Secretary of the Interior Fred Seaton in early 1960 to clarify the status of the Section 33 lands. Merdes wrote that one interpretation of the statehood act, could be that all Section 33s were still in fact reserved, pending a survey. Merdes argued:

From a reasonable interpretation of the language of the Act, it appears that Section 33 continues to be reserved, subject only to being surveyed; and that upon the survey of these lands, title to the same immediately passes to the state for the University of Alaska. It is not clear whether such lands are included in or in addition to the grant of 102 (sic) million acres specified in Section 6(b) of the Statehood Act and although we would like to think it is "in addition to", we suspect (sic) it is "included in" the 102 million acres. (Merdes to Seaton, 7 March 1960, Pres Papers, 1959/60, Box 6, File 90)

The Secretary's answer has not been found in the files, however, it is clear from the historical record that the government maintained the Section 33 land could not be reserved until surveyed and selected. Therefore, any lands not surveyed prior to the statehood act, could in no way be still considered reserved.

The UA did make an effort to keep its rights to some of the disputed Section 33 land. During the week before President Eisenhower signed the statehood act on January 3, 1959, UA land manager Donald Eynck filed 64,000 acres of indemnity selections chosen in lieu of surveyed Section 33 land in the Tanana Valley which had been denied to the university. Eynck filed the applications, as attorney Merdes wrote, "to keep alive any possible rights the University might have to these lands," despite

secure by July 7, 1963" one million acres "from those lands granted the state by the federal government." Sixteen legislators from across Alaska—or 40 percent of the entire body—joined in sponsoring H.B. 176. Among others, the list of sponsors of the UA's land reversion bill included future Alaska governor Jay S. Hammond of Fairbanks, House Speaker Warren Taylor, the entire Fairbanks delegation, and other members from Anchorage, Nome, McKinley Park, Cordova, McGrath, Seward, and Point Barrow.

A committee substitute scaled down the legislative intent language to one million acres. "This reservation of land," the substitute bill stated, "shall be for the purpose of replacing grants of certain Sections 33 in the Tanana Valley previously allowed under federal law and now superseded" by the statehood act. (Committee Substitute for H.B. 176)

After a heated debate, the committee substitute passed the House on March 24, 1959 by a vote of 26-10, with four absences. One legislative observer noted that opponents of the bill were either "anti-university" (no one from Southeastern Alaska supported the measure) or were "anti-dedicated fund votes as they considered the granting of land another form of earmarking funds..." (Butler to Patty, 24 March 1959, Free Papers, 1958/59, Box 6, File 93) In the state senate, the one million acre appropriation passed unanimously 20-0, after Senators changed the terminology in the bill from "granting lands" to "reserving lands for the support of." (Alaska Senate Journal, 1st Legislature, 1st Session, 1959: 859-860)

EGAN'S VETO OF ONE MILLION ACRE UA RESERVE

It came as a shock to President Patty and the Board of Regents when Governor William A. Egan vetoed the one million acre bill on May 4, 1959. Egan gave numerous justifications for his rejection of the legislature's bill, and his veto message detailed his strong philosophical objections to it. His veto read in part:

I am vetoing COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 176, a bill intended to reserve lands for the support of the University of Alaska, because I believe it wrong in principle, inconsistent with constitutional concepts and not in the public interest. In so saying, I may add that I would act similarly on any bill which sought, as this does, to make special disposition of the proceeds of public lands in aid of one public function to the exclusion of others. For more than a century and a half, the United States has granted to new states, on admission, lands for particular purposes. These so-called 'internal improvement grants' have been made for a variety of purposes, i.e., public schools, universities, normal schools, capital building, penal institutions, etc., and have comprised in all, a hodge-podge of grants for varied purposes, without assurance that in selection, income potential, or quality, lands so earmarked would be equitably apportioned among state functions.

Governor Egan correctly stated that traditionally federal lands were specifically earmarked for internal improvements such as penitentiaries, mental institutions, etc.. But as this report has demonstrated, the vast majority of federal land grants to states were for the support of education. Egan then gave the legislature his version of why the land provisions in the Alaska statehood were unique.

Some years ago, a Senate Committee headed by Senator O' Mahoney of Wyoming, while considering Alaska's proposed admission to the union, developed an entirely new concept of federal land grants to newly admitted states. That new concept sought, instead of the earmarked 'internal improvement' grants, to grant to the new state a specified total acreage for the support of state functions, yet earmarked for none. In short, the proceeds of such lands would go to the state treasury for suitable allotment of income by the legislature to the various state functions as circumstances might from time-to-time require.

Governor Egan may have lost sight of the fact that with the coming of statehood to Alaska, the University of Alaska lost its right to acquire almost a million acres of Alaska land.

The University's rights to this land, as has been stated by Dr. Ernest Patty, president of the University, have been 'washed out' in the bill which granted more than a hundred million acres of land to the new state. We agree with Dr. Patty in the belief that the theory behind depriving the University of this land was that Congress felt the state would provide adequately for the University through special land grants.

The assumption was proved correct when the legislature acted to ensure that a land area equivalent to that lost to the University by passage of statehood was restored... We do not believe that Governor Egan's veto of this bill has or will ever have the support of the Alaskan public. We feel the veto reflects a lack of appreciation for the importance of providing an independent source of revenue for our University—an ever growing asset not subject to the whims of future legislatures. (News-Miner, 7 May 1959)

THE UA'S "STARVATION GRANT"

Patty wrote Egan in February 1960 to renew the campaign for the university's land bill. "The Regents and I felt that this was the most forward looking Bill for the University that had ever reached the Legislature," Patty wrote, "and we were all surprised when you vetoed it. This veto came shortly after you returned from the hospital and I blamed myself for not making a special trip to Juneau to explain the background of the bill." (Patty to Egan, 8 Feb 1960)

In his six-page letter, President Patty highlighted for the governor ten reasons why the legislation was essential:

1. The history and theory behind the Morrill Act setting up a Land-Grant University in each state is based on the theory that each Land-Grant University would be given a land grant for the partial support of the University...
2. The Statehood Act for Alaska took away from the University the major portion of its original Land Grant.
3. The University now has only a minimal grant of land; much of this is of no immediate value and compared, area wise, to the other states, it is one of the smallest and (sic) unpromising grants of any state university.
4. Most universities now have a subsidiary income from lands or other property. This is generally used for research and for projects that cannot be readily financed from legislative appropriations. The income from lands should be invested in an endowment fund and only the income from this fund should be disbursed. The idea the University might possibly secure an income beyond its reasonable need is a misconception beyond the realm of possibility.
5. There may come a time in the history of the state when some great financial crisis will develop. If the university had, by that time, developed an important endowment, then the income from this might be very helpful in tiding the university through the difficult period.
6. To avoid duplication, the land granted to the university would be handled by the state Division of lands and there would be limitations on the amount of land which the university could acquire in any one year.
7. The land-grant idea is workable and has 100 years of history behind it.
8. A broad financial base is important.
9. (A) Strong state university is vital to growth of state...
10. A subsidiary endowment income will help to make the difference between a moderately good university and an outstanding university.

Wood found the possibility of acquiring new land particularly appealing, because, for the first time in its history, the university finally started to earn a sizeable income from its land holdings in 1961 when it began selling oil leases on its Koonak Peninsula land. In its first 43 years, the university's cumulative income from land was only \$16,256.03. But with the start of oil leasing in FY 60/61, the UA earned \$604,470 in one year alone, or about 38 times what it had earned since 1917. No oil was ever struck on university land, however, and thereafter the amount netted from oil leasing steadily declined. (UA Permanent Fund Statement, 1917-1971, Pres Papers, 1971/72, Box "Higher Ed...", File, Land—July-Dec)

In April 1964, when Congress was grappling with relief efforts for the Good Friday Earthquake, President Wood wired Sen. Bartlett if it would be "presumptuous" to request amending the statehood act and give the university three million acres. "This could provide base for much-needed sustained support of the university now central to development of state's resources and nationally valuable as regional environmental research center." (Wood to Bartlett, 25 April 1964) Bartlett's administrative assistant Mary Lee Council dashed Wood's hopes. "Since any omnibus or other legislation will relate strictly to the disaster," she wrote, "I would doubt very much whether legislation of the kind you mention would be entertained." (Council to Wood, 28 April 1964, Pres Papers, 1963/64, Box 14, File 212)

**PRESIDENT WOOD LOBBIES FOR
NORTH SLOPE LAND**

Continuing discussions with both state and federal officials, President Wood tried a new approach to acquire the three million acres he believed the university required for financial security. Wood proposed to Senator Bartlett that the university be given land from either "within the Arctic Wildlife Range, from Naval (Petroleum Reserve) No. 4, when and if the Reserve is eliminated or diminished in size, from the existing public domain, or from lands already acquired or to be acquired by the state." Before taking up Wood's suggestion with Secretary of Interior Stewart Udall, Bartlett conferred with Roscoe Bell, director of the state Division of Lands. "I am reminded that Governor Egan once vetoed a bill involving the university lands," Bartlett wrote, "but my memory on the subject is somewhat hazy..." (Bartlett to Bell, 14 May 1964)

Lands Director Bell informed Bartlett that the state would continue to oppose giving the university new lands from the public domain, simply because it would merely take away land from the State of Alaska. Already the Division of Lands faced a difficult challenge finding land that would in fact produce any revenue. "Any new authorizations for university land selection from open public domain would appear unacceptable," Bell wrote Bartlett, "because such would in effect, reduce other state land suitable for selection. (The acreage of land having apparent value seems far below the state's entitlement of 103,000,000 acres." Bell then reiterated Egan's long-standing objections. He wrote Senator Bartlett,

I am sure that you understand perfectly the state's past position in opposing a university land selection of several million acres of valuable land, which could result in a situation where the university has valuable lands producing more revenue than would be needed while other state functions were neglected because of lack of funds. (Bell to Bartlett, 27 May 1964)

However, there was one idea for giving the University of Alaska land to which Bell and Governor Egan responded enthusiastically: taking it from a pre-existing federal reserve, such as the nine million acre Arctic Wildlife Range (now known as the Arctic National Wildlife Refuge or ANWR) created in 1960.

Bell complained that though the Arctic Wildlife Range was supposed to be "subject to multiple use management," such a hope was unrealistic. The U.S. Fish and Wildlife Service, he charged, "is of necessity more or less beholden to conservationists, some of whom are radical and articulate single-use wilderness proponents (sic)." However, he speculated, "Perhaps revocation of the withdrawal could be accomplished if it were to permit a university selection for conservation and

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LEGISLATIVE RESEARCH REPORT

MARCH 9, 2005



REPORT NUMBER 05.209

LAND-GRANT INSTITUTIONS

PREPARED FOR REPRESENTATIVE JIM ELKINS

BY CHERIE NIENHUIS, LEGISLATIVE ANALYST

You asked for a list of land-grant institutions. You also asked about the acres of land apportioned to states to establish those institutions.

As you may know, the Morrill Acts of 1862 and 1890 established land grant institutions throughout the country. The 1862 Morrill Act provided grants in the form of federal lands to each state for the establishment of public institutions to teach agriculture, military tactics, and the mechanic arts as well as classical studies. The schools established upon enactment of the Morrill Act of 1862 became known as the "land-grant" institutions.

The 1890 Morrill Act (also known as the second Morrill Act) established additional land-grant institutions in the racially segregated south, where schools were previously denied land-grant status because of discriminatory admission practices. This Act allowed such institutions to receive federal funds on the basis of being equitably distributed among white and black schools. Sixteen institutions were created under the second Morrill Act.¹ In 1994, 29 Native American tribal colleges were added to the system through the Equity in Educational Land-Grant Status Act of 1994.² The institutions added through the second Morrill Act and those added through the Act of 1994 were appropriated federal funding rather than federal land as part of their acceptance into the land-grant system. We provide a complete list of land-grant institutions, including the 1994 tribal colleges, as compiled by the National Association of State Universities and Land Grant Colleges (NASULGC), as Attachment A.

According to the provisions of the Morrill Act of 1862, each state was eligible to receive 30,000 acres of federal land for each congressional delegate from that state. As envisioned, the land

¹ "Land Grant College Revenues," General Accounting Office, October 20, 1995, available on the Internet at <http://161.203.16.4/papr2pdf/155443.pdf>.

² Although the original legislation lists 29 tribal colleges receiving land-grant status, current federal grant documentation lists 32 such tribal colleges.

would be sold to provide an endowment for one or more land-grant institutions. Since every state at the time had at least two senators and one representative, the minimum land grant per state would be 90,000 acres. This method of distribution favored heavily populated states—generally the eastern states—where the number of congressional delegates was highest.

The U.S. Department of the Interior, General Land Office, published an information bulletin in 1939 that details the amount of land apportioned to each state pursuant to the Morrill Act and other acts of Congress. We present the information contained in *School Lands: Land Grants to States and Territories for Educational and Other Purposes* in Table 1, attached. Please note that Table 1 only reports the land granted pursuant to the 1862 Act. We include a copy of the General Land Office's information bulletin as Attachment B.

Officials with the University of Alaska also provided a table detailing the university and state land grants from the federal government, which we include as Attachment C. According to Mari Montgomery, Director, of the Office of Land Management, the table includes not only land grants pursuant to the Morrill Act, but land grants appropriated per various other acts of Congress as well. For example, California's total of 196,080 acres consists of 150,000 acres of land granted through the Morrill Act and 46,080 acres of land granted through Ch. 145, 10 Stat. 244 (March 1853). Both of these land appropriations can be found in the information bulletin at Attachment A.

We are also attaching a copy of *The University of Alaska: A Land Grant College Without the Land*, by Terrence M Cole, Ph.D., University of Fairbanks. Dr. Cole's publication gives a good overview and history of the Morrill Act and of the attempts to obtain additional land for the University of Alaska; we include this publication as Attachment D.

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

**Table 1: Federal Land Grants to States for Educational and Other Purposes
(In acres)**

State	Morrill Act of 1862	Total All Grants (as of 1939)	State	Morrill Act of 1862	Total All Grants (as of 1939)
Alabama	240,000	2,260,209.35	Nebraska	90,000	3,458,711.00
Alaska Territory	--	21,447,458.95	Nevada	90,000	2,723,647.00
Arizona	--	10,543,672.71	New Hampshire	150,000	150,000.00
Arkansas	150,000	9,372,993.37	New Jersey	210,000	210,000.00
California	150,000	8,516,484.91	New Mexico	--	12,789,916.20
Colorado	90,000	4,433,898.00	New York	990,000	990,000.00
Connecticut	180,000	180,000.00	North Carolina	270,000	270,000.00
Delaware	90,000	90,000.00	North Dakota	--	3,163,551.50
Florida	90,000	21,981,392.77	Ohio	630,000	2,493,005.93
Georgia	270,000	270,000.00	Oklahoma	--	3,095,780.25
Idaho	--	3,639,555.21	Oregon	90,000	4,375,514.88
Illinois	480,000	3,639,321.11	Pennsylvania	780,000	780,000.00
Indiana	--	4,306,253.49	Rhode Island	120,000	120,000.00
Iowa	240,000	3,032,937.52	South Carolina	180,000	180,000.00
Kansas	90,000	3,614,413.29	South Dakota	--	3,435,372.95
Kentucky	330,000	352,508.65	Tennessee	300,000	300,000.00
Louisiana	210,000	11,035,438.83	Texas	180,000	180,000.00
Maine	210,000	210,000.00	Utah	--	7,464,496.54
Maryland	210,000	210,000.00	Vermont	150,000	150,000.00
Massachusetts	360,000	360,000.00	Virginia	300,000	300,000.00
Michigan	240,000	8,787,693.27	Washington	--	3,044,471.00
Minnesota	120,000	8,374,088.23	West Virginia	150,000	150,000.00
Mississippi	210,000	5,021,078.71	Wisconsin	240,000	6,222,643.99
Missouri	330,000	5,578,973.99	Wyoming	--	4,139,209.00
Montana	--	5,871,057.70	Total All States	9,210,000	203,315,730.30

Source: *School Lands: Land Grants to States and Territories for Educational and Other Purposes*, U.S. Department of the Interior, General Land Office, Information Bulletin, 1939 Series, No. 1. We include a copy of this publication as Attachment B.

Attachment A

National Association of State Universities and Land-Grant Colleges,
"NASULGC Member Land-Grant Institutions," and
"Land-Grant Tribal Colleges,"
http://www.nasulgc.org/About_Nasulgc/members



About NASULGC

NASULGC MEMBER LAND-GRANT INSTITUTIONS

ALABAMA

Alabama A&M University
 Auburn University
 Tuskegee University

ALASKA

University of Alaska System

AMERICAN SAMOA

American Samoa Community College

ARIZONA

University of Arizona

ARKANSAS

University of Arkansas, Fayetteville
 University of Arkansas at Pine Bluff

CALIFORNIA

University of California

COLORADO

Colorado State University

CONNECTICUT

Connecticut Agricultural Experiment Station
 University of Connecticut

DELAWARE

Delaware State University
 University of Delaware

DISTRICT OF COLUMBIA

University of the District of Columbia

FLORIDA

Florida A&M University
 University of Florida

GEORGIA

Fort Valley State University
 University of Georgia

GUAM

University of Guam

HAWAII

University of Hawaii

MONTANA

Montana State University

NEBRASKA

University of Nebraska

NEVADA

University of Nevada, Reno

NEW HAMPSHIRE

University of New Hampshire

NEW JERSEY

Rutgers, The State University of New Jersey

NEW MEXICO

New Mexico State University

NEW YORK

Cornell University

NORTH CAROLINA

North Carolina A&T State University
 North Carolina State University

NORTH DAKOTA

North Dakota State University

OHIO

The Ohio State University

OKLAHOMA

Langston University
 Oklahoma State University

OREGON

Oregon State University

PENNSYLVANIA

The Pennsylvania State University

PUERTO RICO

University of Puerto Rico Mayaguez

RHODE ISLAND

University of Rhode Island

SOUTH CAROLINA

Clemson University
 South Carolina State University



About NASULGC

LAND-GRANT TRIBAL COLLEGES

ARIZONA

Dine College

CALIFORNIA

D-Q University

KANSAS

Haskell Indian Nations University

MICHIGAN

Bay Mills Community College

MINNESOTA

Fond Du Lac Tribal and Community College

Leach Lake Tribal College

White Earth Tribal and Community College

MONTANA

Blackfeet Community College

Chief Dull Knife College

Fort Belknap Community College

Fort Peck Community College

Little Big Horn College

Salisb Kootenai College

Stone Child College

NEBRASKA

Little Priest Tribal College

Nebraska Indian Community College

NEW MEXICO

Crowpoint Institute of Technology

Institute of American Indian Arts

Southwestern Indian Polytechnic Institute

NORTH DAKOTA

Cankdeska Cikana (Little Hoop) Community College

Fort Berthold Community College

Sitting Bull College

Turtle Mountain Community College

United Tribes Technical College

SOUTH DAKOTA

Oglala Lakota College

Si Tanka College

Sinte Gleska University

Sisseton Wahpeton Community College

WASHINGTON

Northwest Indian College

WISCONSIN

College of the Menominee Nation

Lac Courte Oreilles Ojibwa Community College

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UNITED STATES
DEPARTMENT OF THE INTERIOR
HAROLD L. ICKES, Secretary
GENERAL LAND OFFICE
FRED W. JOHNSON, Commissioner

+

SCHOOL LANDS

LAND GRANTS TO STATES AND TERRITORIES
FOR EDUCATIONAL AND OTHER
PURPOSES



Information Bulletin, 1939 Series
No. 1

ALASKA HISTORICAL
LIBRARY AND MUSEUM

UNITED STATES GOVERNMENT PRINTING OFFICE
WASHINGTON : 1939

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Dept. of Interior Report

SCHOOL LANDS

Acres for Education

Dedication of portions of the Nation's public lands for the advancement of education was among the first principles adopted by the founders of our Federal Government.

Recognizing the importance of permanent endowment and development of a public-school system in the new Republic, this fundamental policy was written by the Continental Congress into its ordinance of July 13, 1787, in the following words:

"Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

Actually, this principle had been formulated 2 years before in the ordinance of May 20, 1785. In that ordinance, which provided for the establishment of the rectangular system of surveys on the public domain, it was stipulated that "There shall be reserved the lot No. 16 of every township for the maintenance of public schools within said township."

Incidentally, under the rectangular survey system, there are 36 sections, each 1 mile square, in every regular township.

Ohio was the first State to receive a grant of the 640 acres contained in a 1 square mile school section, under the provisions of the 1785 act, and the dedication of one section for the support of public schools was specially provided for in the organization of each new State and Territory until the establishment of the Territory of Oregon in 1848. In that year demand for increased facilities for educational advancement resulted in the dedication of two sections in each township for school purposes, such an allotment being made upon the admission of the State of Oregon into the Union in 1859. Later, when Utah, Arizona, and New Mexico were admitted into the Union, the policy was expanded to the extent that these States received a grant of four sections of school land in each township.

In the course of time it was found that some of the tracts of public domain, intended for dedication as school grants, were embraced in old private land grants originating under governments preceding the United States in sovereignty, such as that of Great Britain, France, and Spain, and that some irregular and fractional townships contained no section numbered 16 or 36. It was also found that some of these sections had been appropriated by settlement before the survey of the land could be made.

As a result of this situation, Congress, in 1826 and again in 1859, provided that tracts of territory within the States, known as indemnity lands, should be provided in lieu of the original school section designations. In 1891 this indemnity policy was extended to provide for the selection of other lands in lieu of school sections embraced within Indian, military, or other reservations.

Total Grants by States

	Acres		Acres
Alabama.....	2,260,209.85	Nevada.....	3,728,647.30
Alaska Territory.....	21,447,458.95	New Hampshire.....	150,000.00
Arizona.....	10,543,372.71	New Jersey.....	210,000.00
Arkansas.....	3,372,998.37	New Mexico.....	12,788,917.20
California.....	3,516,484.91	New York.....	990,000.00
Colorado.....	4,433,898.00	North Carolina.....	270,000.00
Connecticut.....	180,000.00	North Dakota.....	3,163,551.50
Delaware.....	90,000.00	Ohio.....	2,498,095.93
Florida.....	21,981,392.77	Oklahoma.....	3,055,790.25
Georgia.....	270,000.00	Oregon.....	4,375,514.88
Idaho.....	3,639,555.21	Pennsylvania.....	780,000.00
Illinois.....	3,639,321.11	Rhode Island.....	120,000.00
Indiana.....	4,306,353.49	South Carolina.....	180,000.00
Iowa.....	3,032,937.52	South Dakota.....	3,435,872.95
Kansas.....	3,614,418.29	Tennessee.....	300,000.00
Kentucky.....	852,503.65	Texas.....	180,000.00
Louisiana.....	11,035,433.83	Utah.....	7,464,493.54
Maine.....	210,000.00	Vermont.....	150,000.00
Maryland.....	210,000.00	Virginia.....	200,000.00
Massachusetts.....	363,000.00	Washington.....	3,044,471.00
Michigan.....	3,787,693.27	West Virginia.....	150,000.00
Minnesota.....	3,874,033.23	Wisconsin.....	6,222,643.99
Mississippi.....	5,021,078.71	Wyoming.....	4,139,209.00
Missouri.....	5,578,973.99		
Montana.....	5,371,057.70	Total.....	203,215,730.30
Nebraska.....	3,453,711.00		

State or Territory and purpose of grant	Granting acts	Amount granted (acres)
ALABAMA		
Seminary of learning.....	Acts Apr. 20, 1818 (3 Stat. 466), and Mar. 2, 1819 (3 Stat. 489).	43,080.00
Common schools, sec. 16 (or indemnity lands).....	Act Mar. 2, 1819 (3 Stat. 489).....	211,637.00
Salt Springs and contiguous lands.....	Act Mar. 2, 1819 (3 Stat. 489).....	23,540.00
Seat of Government.....	Act Mar. 2, 1819 (3 Stat. 489).....	1,620.00
Internal improvements including river and abutments.....	Acts May 23, 1828 (4 Stat. 230), and Sept. 4, 1841 (5 Stat. 453).	500,000.00
Swampland.....	Act Sept. 23, 1850 (9 Stat. 519).....	419,035.87
Swamp indemnity.....	Act Mar. 2, 1855 (10 Stat. 634), as amended by act of Mar. 2, 1857 (11 Stat. 261).	20,620.00
<u>Agricultural college scrip.....</u>	<u>Act July 2, 1862 (12 Stat. 503).....</u>	<u>240,000.00</u>
University.....	Act Apr. 23, 1864 (13 Stat. 12).....	43,080.00
Tuskegee Normal and Industrial Institute.....	Act Feb. 13, 1869 (20 Stat. 637).....	23,000.00
Industrial School for Girls.....	Act Feb. 13, 1869 (20 Stat. 637).....	23,000.00
Seay Hospital for Colored Insane.....	Act Dec. 15, 1921 (42 Stat. 348).....	181.41
Vocational and other educational purposes.....	Act Feb. 21, 1921 (45 Stat. 1201).....	1,623.19
Total.....		2,260,209.85
ALASKA TERRITORY		
Common schools, secs. 16 and 36, reserved (estimated).....	Act Mar. 4, 1915 (38 Stat. 1214).....	21,000,209.00
Agricultural College and School of Mines, certain secs. 33, reserved (estimated).....	Act Mar. 4, 1915 (38 Stat. 1214).....	336,000.00
Agricultural College and School of Mines.....	Act Mar. 4, 1915 (38 Stat. 1214).....	2,249.95
Agricultural College and School of Mines.....	Act Jan. 21, 1929 (45 Stat. 1091).....	100,000.00
Total.....		21,447,458.95
ARIZONA		
University.....	Act Feb. 18, 1881 (21 Stat. 326).....	43,080.00
University.....	Act June 20, 1910 (36 Stat. 557, 572).....	200,000.00
Public buildings.....	Act June 20, 1910 (36 Stat. 557, 572).....	100,000.00
Penitentiaries.....	Act June 20, 1910 (36 Stat. 557, 572).....	100,000.00
Insane asylums.....	Act June 20, 1910 (36 Stat. 557, 572).....	100,000.00
Deaf, dumb, and blind asylum.....	Act June 20, 1910 (36 Stat. 557, 572).....	100,000.00
Mines' hospital.....	Act June 20, 1910 (36 Stat. 557, 572).....	60,000.00

State or Territory and purpose of grant	Granting acts	Amount granted (acres)
ARIZONA—continued		
Normal schools.....	Act June 20, 1910 (36 Stat. 557, 572)	200,000.00
Charitable, penal, etc., institutions.....	Act June 20, 1910 (36 Stat. 557, 572)	100,000.00
Agricultural and mechanical colleges.....	Act June 20, 1910 (36 Stat. 557, 572)	180,000.00
School of mines.....	Act June 20, 1910 (36 Stat. 557, 572)	180,000.00
Military institutes.....	Act June 20, 1910 (36 Stat. 557, 572)	100,000.00
Payment of bonds issued to Maricopa, Pima, Yavapai, and Cochise Counties.....	Act June 20, 1910 (36 Stat. 557, 572)	1,000,000.00
Common schools, secs. 2, 32, 16, and 36 (or indemnity lands).....	Act June 20, 1910 (36 Stat. 557, 572)	8,088,156.00
University.....	Act Jan. 9, 1926 (43 Stat. 1844)	180.00
Mines' hospital.....	Act Feb. 20, 1926 (43 Stat. 1283)	50,000.00
Park and other purposes.....	Act Apr. 7, 1930 (46 Stat. 143)	1,470.00
University.....	Act May 21, 1934 (48 Stat. 786)	2,878.71
Total.....		10,543,672.71
ARKANSAS		
Seminary or university.....	Act Mar. 2, 1837 (4 Stat. 284), and act June 28, 1836 (5 Stat. 38)	44,080.00
Public buildings.....	Acts Mar. 3, 1831 (4 Stat. 473), June 15, 1832 (4 Stat. 471), and June 28, 1836 (5 Stat. 58)	10,600.00
Common schools, sec. 16 (or indemnity lands).....	Act June 20, 1896 (5 Stat. 58)	983,778.00
Salt springs and contiguous lands.....	Act June 28, 1826 (5 Stat. 58)	46,080.00
Internal improvements.....	Act Sept. 4, 1841 (5 Stat. 453)	500,000.00
Swamp.....	Act Sept. 28, 1836 (9 Stat. 519), as amended, and compromise act Apr. 20, 1898 (30 Stat. 857)	7,686,458.37
Agricultural college scrip.....	Act July 2, 1863 (12 Stat. 508)	180,000.00
Total.....		9,872,998.37
CALIFORNIA		
Internal improvements.....	Act Sept. 4, 1841 (5 Stat. 453)	500,000.00
Swamp.....	Act Sept. 28, 1836 (9 Stat. 519)	2,190,508.81
University.....	Act Mar. 3, 1853 (10 Stat. 244)	44,080.00
Public buildings.....	Act Mar. 3, 1853 (10 Stat. 244)	6,400.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act Mar. 3, 1853 (10 Stat. 244)	4,584,298.00
Agricultural and mechanical colleges.....	Act July 2, 1863 (12 Stat. 508)	180,000.00
State Park System.....	Act Mar. 3, 1932 (47 Stat. 1487)	89,208.10
Total.....		8,516,484.91
COLORADO		
Internal improvements.....	Act Sept. 4, 1841 (5 Stat. 453)	500,000.00
Agricultural colleges.....	Act July 2, 1863 (12 Stat. 508)	90,000.00
University.....	Act Mar. 3, 1875 (18 Stat. 474)	44,080.00
Public buildings.....	Act Mar. 3, 1875 (18 Stat. 474)	32,000.00
Panion otaries.....	Act Mar. 3, 1875 (18 Stat. 474)	32,000.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act Mar. 3, 1875 (18 Stat. 474)	3,085,618.00
Salt springs and contiguous lands.....	Act Mar. 3, 1875 (18 Stat. 474)	46,080.00
State agricultural college.....	Act Mar. 2, 1907 (34 Stat. 1245)	100.00
State agricultural college.....	Act June 26, 1910 (36 Stat. 817)	1,600.00
Biological station.....	Act June 7, 1924 (43 Stat. 477)	160.00
School of mines.....	Act May 2, 1932 (47 Stat. 141)	200.00
Total.....		4,483,808.00
CONNECTICUT		
Agricultural college scrip.....	Act July 2, 1862 (12 Stat. 508)	180,000.00
DELAWARE		
Agricultural college scrip.....	Act July 2, 1862 (12 Stat. 508)	90,000.00

Not included in Merrill Act Totals

State or Territory	Amount granted (acres)
710	
Seminaries of learning.....	
Internal improvements.....	
Seat of government.....	
Common schools, sec. 16.....	
Swamp.....	
Swampland indemnity.....	
Agricultural college scrip.....	
Total.....	
OREGON	
Agricultural college scrip.....	
IDAHO	
University.....	
University, Moscow.....	
Agricultural college.....	
Penitentiary.....	
Public buildings.....	
Insane asylum.....	
Educational, charitable.....	
Normal schools.....	
Scientific schools.....	
Common schools, sec. 16 (or indemnity lands).....	
Lava Hot Springs.....	
Public park.....	
University.....	
Perpetual easement for fish culture.....	
Total.....	
ILLINOIS	
Seminary of learning.....	
Common schools, sec. 16.....	
Salt springs and contiguous lands.....	
Seat of government.....	
Internal improvements.....	
Swamp.....	
Swampland indemnity.....	
Agricultural college scrip.....	
Total.....	
INDIANA	
Seminary of learning.....	
Seat of government.....	
Common schools, sec. 16 (or indemnity lands).....	
Salt springs and contiguous lands.....	
Internal improvements.....	
Swamp.....	
Swampland indemnity.....	
Total.....	
IOWA	
Internal improvements.....	
University.....	
Public buildings.....	
Common schools, sec. 16 (or indemnity lands).....	
Salt springs and contiguous lands.....	
Swamp.....	
Swampland indemnity.....	

¹ Grants to California for park purposes were made also by acts of June 29, 1886 (49 Stat. 2026 and 2027); no selections approved—area undetermined.

State or Territory and purpose of grant

(Amount)

FLORIDA

Seminaries of learning.....	Act Mar. 3, 1828 (3 Stat. 754).....	92,160.00
Internal improvements.....	Act Sept. 4, 1841 (7 Stat. 452).....	500,000.00
Seat of government.....	Act Mar. 3, 1845 (5 Stat. 782).....	5,120.00
Common schools, sec. 16 (or indemnity lands)	Act Mar. 3, 1845 (5 Stat. 782).....	975,207.00
Swamp.....	Act Sept. 23, 1850 (9 Stat. 519).....	20,224,022.97
Swampland indemnity.....	Acts Mar. 2, 1855 (10 Stat. 634), and Mar. 3, 1857 (11 Stat. 261).....	94,782.80
Agricultural college scrip.....	Act July 2, 1863 (12 Stat. 508).....	90,000.00

Total..... 21,981,392.77

GEORGIA

Agricultural college scrip.....	Act July 2, 1863 (12 Stat. 508).....	270,000.00
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IDAHO

University.....	Act Feb. 18, 1861 (21 Stat. 326).....	44,080.00
University, Moscow.....	Act July 3, 1860 (20 Stat. 215).....	29,000.00
Agricultural college.....	Act July 3, 1860 (20 Stat. 215).....	90,000.00
Penitentiary.....	Act July 3, 1860 (20 Stat. 215).....	50,000.00
Public buildings.....	Act July 3, 1860 (20 Stat. 215).....	22,000.00
Insane asylum.....	Act July 3, 1860 (20 Stat. 215).....	50,000.00
Educational, charitable, etc.....	Act July 3, 1860 (20 Stat. 215).....	180,000.00
Normal schools.....	Act July 3, 1860 (20 Stat. 215).....	100,000.00
Scientific schools.....	Act July 3, 1860 (20 Stat. 215).....	100,000.00
Common schools, secs. 16 and 26 (or indemnity lands)	Act July 3, 1860 (20 Stat. 215).....	2,902,698.00
Lava Hot Springs.....	Act June 18, 1902 (32 Stat. 330).....	187.30
Public park.....	Act Apr. 30, 1903 (35 Stat. 70).....	6,751.84
University.....	Act Feb. 17, 1909 (35 Stat. 636).....	608.40
Perpetual easement for fish and game.....	Act Dec. 15, 1928 (45 Stat. 1222).....	40.23
Fish culture.....	Act Jan. 29, 1929 (45 Stat. 1142).....	191.95

Total..... 3,699,558.21

ILLINOIS

Seminary of learning.....	Act Apr. 18, 1818 (3 Stat. 428).....	44,080.00
Common schools, sec. 16 (or indemnity lands)	Act Apr. 18, 1818 (3 Stat. 428).....	998,520.00
Salt springs and contiguous lands.....	Act Apr. 18, 1818 (3 Stat. 428).....	121,028.00
Seat of government.....	Act Mar. 3, 1819 (3 Stat. 428).....	2,500.00
Internal improvements, including canals.....	Act Sept. 4, 1841 (5 Stat. 458), with the act of Mar. 2, 1837 (4 Stat. 217).....	583,868.24
Swamp.....	Act Sept. 23, 1850 (9 Stat. 519).....	1,457,654.80
Swampland indemnity.....	Acts Mar. 2, 1855 (10 Stat. 634), and Mar. 3, 1857 (11 Stat. 261).....	2,308.07
Agricultural college scrip.....	Act July 2, 1863 (12 Stat. 508).....	480,000.00

Total..... 3,699,521.11

INDIANA

Seminary of learning.....	Acts Mar. 26, 1804 (2 Stat. 277), and Apr. 19, 1816 (3 Stat. 252).....	44,080.00
Seat of government.....	Act Apr. 19, 1816 (3 Stat. 289).....	2,500.00
Common schools, sec. 16 (or indemnity lands)	Act Apr. 19, 1816 (3 Stat. 289).....	668,578.00
Salt springs and contiguous lands.....	Act Apr. 19, 1816 (3 Stat. 289).....	23,040.00
Internal improvements (canals and roads).....	Act Mar. 2, 1837 (4 Stat. 294, 296), as supplemented by other acts.....	1,914,804.55
Swamp.....	Act Sept. 23, 1850 (9 Stat. 519).....	1,264,310.73
Swampland indemnity.....	Acts Mar. 2, 1855 (10 Stat. 634), and Mar. 3, 1857 (11 Stat. 261).....	4,880.20

Total..... 4,808,263.49

IOWA

Internal improvements.....	Act Sept. 4, 1841 (5 Stat. 453).....	500,000.00
University.....	Act Mar. 3, 1845 (5 Stat. 785).....	44,080.00
Public buildings.....	Act Mar. 3, 1845 (5 Stat. 789).....	3,200.00
Common schools, sec. 16 (or indemnity lands)	Act Mar. 3, 1845 (5 Stat. 789).....	1,000,678.62
Salt springs and contiguous lands.....	Act Mar. 3, 1845 (5 Stat. 789).....	44,080.00
Swamp.....	Act Sept. 23, 1850 (9 Stat. 519).....	874,377.05
Swampland indemnity.....	Acts Mar. 2, 1855 (10 Stat. 634), and Mar. 3, 1857 (11 Stat. 261).....	221,976.95

1,000.00
1,000.00
1,000.00
1,000.00
3,000.00
3,000.00

2,188.00
160.00
3,000.00
1,400.00
2,878.71

13,672.71

14,180.00

10,600.00

22,778.00
44,080.00
90,000.00
86,455.57

50,000.00

72,998.87

100,000.00
190,608.81
44,080.00
6,400.00
294,298.00

150,000.00
88,208.10

816,438.91

500,000.00
90,000.00
44,080.00
32,000.00
32,000.00
684,618.00

44,080.00
160.00
1,800.00
160.00
200.00

434,898.00

180,000.00

90,000.00

and 2027);

State or Territory and purpose of grant	Granting acts	Amount granted (acres)
IOWA—continued		
Agricultural college	Act July 2, 1862 (12 Stat. 508)	240,000.00
State park	Act June 8, 1890 (26 Stat. 1694)	544.27
Total		2,083,987.82
KANSAS		
Internal improvements	Act Sept. 4, 1841 (5 Stat. 453)	500,000.00
University	Act Jan. 29, 1861 (12 Stat. 126)	46,080.00
Public buildings	Act Jan. 29, 1861 (12 Stat. 126)	6,400.00
Common schools, secs. 7 and 36 (or indemnity lands)	Act Jan. 29, 1861 (12 Stat. 126)	2,907,620.00
Salt springs and contiguous lands	Act Jan. 29, 1861 (12 Stat. 126)	46,080.00
Agricultural college	Act July 2, 1862 (12 Stat. 508)	240,000.00
Soldiers' homes	Act Mar. 2, 1869 (23 Stat. 1012)	123.88
Experiment station, agricultural college, normal school, and public park	Act Mar. 28, 1900 (31 Stat. 62)	7,507.58
Agricultural college	Act May 29, 1908 (35 Stat. 465)	7,082.00
Game preserve	Act June 22, 1916 (39 Stat. 233)	8,021.20
Total		3,614,413.29
KENTUCKY		
Agricultural college scrip	Act July 2, 1862 (12 Stat. 508)	220,000.00
Deaf and dumb asylum	Acts Apr. 5, 1826 (5 Stat. 284), and Jan. 29, 1827 (4 Stat. 201)	22,808.66
Total		352,808.66
LOUISIANA		
Common schools, sec. 16 (or indemnity lands)	Acts Apr. 21, 1806 (2 Stat. 391), and Mar. 3, 1811 (3 Stat. 663)	807,271.00
Seminary of learning	Act Mar. 3, 1827 (4 Stat. 244)	46,080.00
Internal improvements	Act Sept. 4, 1841 (5 Stat. 453)	500,000.00
Swamp	Acts Mar. 2, 1849 (9 Stat. 352), and Sept. 26, 1850 (9 Stat. 519)	9,439,245.30
Swampland indemnity	Acts Mar. 2, 1855 (10 Stat. 634), and Mar. 3, 1857 (11 Stat. 261)	32,630.97
Agricultural college scrip	Act July 2, 1862 (12 Stat. 508)	210,000.00
University and agricultural college	Act Apr. 28, 1902 (32 Stat. 172)	211.86
Total		11,085,438.83
MAINE		
Agricultural college scrip	Act July 2, 1862 (12 Stat. 508)	210,000.00
MARYLAND		
Agricultural college scrip	Act July 2, 1862 (12 Stat. 508)	210,000.00
MASSACHUSETTS		
Agricultural college scrip	Act July 2, 1862 (12 Stat. 508)	360,000.00
MICHIGAN		
University	Act June 23, 1836 (5 Stat. 59)	46,080.00
Public buildings	Act June 23, 1836 (5 Stat. 59)	3,200.00
Common schools, sec. 16 (or indemnity lands)	Act June 23, 1836 (5 Stat. 59)	1,021,867.00
Salt springs and contiguous lands	Act June 23, 1836 (5 Stat. 59)	46,080.00
Internal improvements	Act Sept. 4, 1841 (5 Stat. 453)	500,000.00
Swamp	Act Sept. 28, 1850 (9 Stat. 519)	5,658,191.73
Canals	Acts Aug. 26, 1852 (10 Stat. 35), Mar. 3, 1865 (13 Stat. 819), and July 3, 1866 (14 Stat. 80)	1,250,235.85
Swampland indemnity	Acts Mar. 2, 1855 (10 Stat. 634) and Mar. 3, 1857 (11 Stat. 261)	24,038.69
Agricultural college	Act July 2, 1862 (12 Stat. 508)	240,000.00
Total		8,787,698.27

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Reform school
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Common schools,
(or indemnity lands)
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Observatory for us
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State or Territory and purpose of grant	Granting acts	Amount granted (acres)
MINNESOTA		
Internal improvements.....	Act Sept. 4, 1841 (8 Stat. 453).....	500,000.00
Swamp.....	Acts Sept. 28, 1850 (9 Stat. 519), and Mar. 12, 1880 (13 Stat. 3).....	4,708,077.23
University.....	Acts Feb. 19, 1851 (9 Stat. 503), Feb. 23, 1857 (11 Stat. 166), Mar. 3, 1861 (13 Stat. 208), and July 8, 1870 (16 Stat. 193).....	92,160.00
Public buildings.....	Act Feb. 23, 1857 (11 Stat. 166).....	8,400.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act Feb. 23, 1857 (11 Stat. 166).....	2,874,561.00
Salt springs and contiguous lands.....	Acts Feb. 23, 1857 (11 Stat. 166), and Mar. 3, 1879 (20 Stat. 323).....	44,080.00
Agricultural colleges.....	Act July 2, 1882 (12 Stat. 503).....	120,000.00
Public park.....	Act Aug. 3, 1893 (27 Stat. 947).....	8,892.81
Experimental forestry.....	Act Apr. 23, 1904 (33 Stat. 536).....	20,000.00
Military purposes.....	Act May 2, 1882 (47 Stat. 141).....	7.80
Total.....		8,874,088.23
MISSISSIPPI		
Jefferson College.....	Acts Mar. 6, 1838 (2 Stat. 229) and Apr. 20, 1852 (8 Stat. 484).....	23,040.00
Common schools, sec. 16 (or indemnity lands).....	Acts Mar. 3, 1838 (2 Stat. 229), Mar. 31, 1838 (3 Stat. 479), Mar. 3, 1816 (8 Stat. 226), Mar. 3, 1817 (8 Stat. 375), and May 6, 1822 (3 Stat. 580).....	824,213.00
Seminary of learning.....	Act Feb. 20, 1819 (3 Stat. 485).....	23,040.00
Seat of government.....	Act Feb. 20, 1819 (3 Stat. 485).....	1,283.16
Internal improvements.....	Act Sept. 4, 1841 (8 Stat. 453).....	500,000.00
Swamp.....	Act Sept. 28, 1850 (9 Stat. 519).....	3,280,680.73
Swampland indemnity.....	Acts Mar. 3, 1855 (10 Stat. 634) and Mar. 3, 1857 (11 Stat. 251).....	58,781.78
Agricultural colleges scrip.....	Act July 2, 1882 (12 Stat. 503).....	210,000.00
University.....	Act July 20, 1894 (28 Stat. 94).....	28,048.00
Agricultural and mechanical college.....	Act Feb. 20, 1895 (28 Stat. 573).....	44,080.00
Industrial institute and college for girls.....	Act Mar. 3, 1895 (28 Stat. 815).....	23,040.00
Total.....		8,021,078.71
MISSOURI		
Seminary of learning.....	Acts Mar. 3, 1811 (2 Stat. 662), and Feb. 17, 1818 (3 Stat. 406).....	46,080.00
Seat of government.....	Act Mar. 6, 1820 (3 Stat. 545).....	2,580.00
Common schools, sec. 16 (or indemnity lands).....	Act Mar. 6, 1820 (3 Stat. 545).....	1,221,818.00
Salt springs and contiguous lands.....	Act Mar. 6, 1820 (3 Stat. 545).....	46,080.00
Internal improvements.....	Act Sept. 4, 1841 (8 Stat. 453).....	500,000.00
Swamp.....	Act Sept. 28, 1850 (9 Stat. 519).....	3,351,428.30
Swampland indemnity.....	Acts Mar. 3, 1855 (10 Stat. 634), and Mar. 3, 1857 (11 Stat. 251).....	81,016.69
Agricultural colleges.....	Act July 2, 1882 (12 Stat. 503).....	330,000.00
Total.....		8,878,978.99
MONTANA		
University.....	Act Feb. 18, 1881 (21 Stat. 326).....	46,080.00
Agricultural college.....	Act Feb. 22, 1889 (25 Stat. 576).....	140,060.00
Public buildings.....	Act Feb. 22, 1889 (25 Stat. 576).....	182,000.00
Deaf and dumb asylum.....	Act Feb. 22, 1889 (25 Stat. 576).....	50,060.00
Reform school.....	Act Feb. 22, 1889 (25 Stat. 576).....	50,000.00
School of mines.....	Act Feb. 22, 1889 (25 Stat. 576).....	100,000.00
Normal schools.....	Act Feb. 22, 1889 (25 Stat. 576).....	100,000.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act Feb. 22, 1889 (25 Stat. 576).....	5,198,258.00
Militia camp.....	Act Feb. 18, 1891 (26 Stat. 747).....	640.00
Observatory for university.....	Act Mar. 9, 1904 (33 Stat. 64).....	480.00
Biological station for university.....	Acts Apr. 23, 1904, and Mar. 3, 1905 (33 Stat. 302, 1081).....	160.84
Fort Assiniboine, for educational institutions.....	Act Feb. 11, 1915 (38 Stat. 807).....	2,000.00
Public park and recreational site.....	Act Aug. 24, 1937 (50 Stat. 748).....	1,428.86
Total.....		5,871,087.70
NEBRASKA		
Internal improvements.....	Act Sept. 4, 1841 (8 Stat. 453).....	500,000.00
Agricultural colleges.....	Act July 2, 1882 (12 Stat. 503), as amended by act of July 28, 1896 (16 Stat. 208).....	90,000.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act Apr. 19, 1854 (13 Stat. 47).....	2,730,951.00

State or Territory and purpose of grant	Granting acts	Amount granted (acres)
NEBRASKA—continued		
University.....	Act Apr. 19, 1884 (13 Stat. 47).....	46,080.00
Public buildings.....	Act Apr. 19, 1884 (13 Stat. 47).....	12,800.00
Salt springs and contiguous lands.....	Act Apr. 19, 1884 (13 Stat. 47).....	46,080.00
Penitentiary.....	Act Apr. 19, 1884 (13 Stat. 47).....	22,000.00
Dry-land agricultural experiments.....	Act Mar. 3, 1917 (49 Stat. 1180).....	800.00
Total.....		128,760.00
NEVADA		
Internal improvements.....	Act Sept. 4, 1841 (5 Stat. 458).....	500,000.00
Penitentiary.....	Act Mar. 21, 1884 (13 Stat. 30).....	12,800.00
Public buildings.....	Act Mar. 21, 1884 (13 Stat. 30).....	12,800.00
Mining and mechanic arts.....	Act July 4, 1886 (14 Stat. 25), extending provisions of act July 2, 1885 (12 Stat. 604), Act July 4, 1886 (14 Stat. 25).....	20,000.00
University.....	Act July 4, 1886 (14 Stat. 25).....	46,080.00
Common schools, certain secs. 16 and 36, and line lands.....	Act June 16, 1880 (21 Stat. 287).....	2,051,967.00
Total.....		2,728,647.00
NEW HAMPSHIRE		
Agricultural college scrip.....	Act July 2, 1863 (12 Stat. 508).....	150,000.00
NEW JERSEY		
Agricultural college scrip.....	Act July 2, 1863 (12 Stat. 508).....	210,000.00
NEW MEXICO		
University.....	Act June 21, 1898 (30 Stat. 484).....	111,080.00
Saline land (university).....	Act June 21, 1898 (30 Stat. 484).....	1,623.86
Agricultural college.....	Act June 21, 1898 (30 Stat. 484).....	100,000.00
Improvement of Rio Grande.....	Act June 21, 1898 (30 Stat. 484).....	100,000.00
Penitentiary.....	Act June 21, 1898 (30 Stat. 484).....	50,000.00
Public buildings.....	Act June 21, 1898 (30 Stat. 484).....	22,000.00
Insane asylum.....	Act June 21, 1898 (30 Stat. 484).....	50,000.00
Deaf and dumb asylum.....	Act June 21, 1898 (30 Stat. 484).....	50,000.00
Reform school.....	Act June 21, 1898 (30 Stat. 484).....	50,000.00
Normal schools.....	Act June 21, 1898 (30 Stat. 484).....	100,000.00
School of mines.....	Act June 21, 1898 (30 Stat. 484).....	50,000.00
Blinn asylum.....	Act June 21, 1898 (30 Stat. 484).....	50,000.00
Reservoirs.....	Act June 21, 1898 (30 Stat. 484).....	100,000.00
Mines' hospital.....	Act June 21, 1898 (30 Stat. 484).....	50,000.00
Military institute.....	Act June 21, 1898 (30 Stat. 484).....	50,000.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act June 21, 1898 (30 Stat. 484).....	4,355,662.00
University.....	Act June 20, 1910 (36 Stat. 557, 561).....	200,000.00
Public buildings.....	Act June 20, 1910 (36 Stat. 557, 561).....	100,000.00
Insane asylums.....	Act June 20, 1910 (36 Stat. 557, 561).....	100,000.00
Penitentiaries.....	Act June 20, 1910 (36 Stat. 557, 561).....	100,000.00
Deaf, dumb, and blind asylum.....	Act June 20, 1910 (36 Stat. 557, 561).....	100,000.00
Mines' hospitals.....	Act June 20, 1910 (36 Stat. 557, 561).....	50,000.00
Normal schools.....	Act June 20, 1910 (36 Stat. 557, 561).....	200,000.00
Charitable, penal, and reformatory.....	Act June 20, 1910 (36 Stat. 557, 561).....	100,000.00
Agricultural and mechanical colleges.....	Act June 20, 1910 (36 Stat. 557, 561).....	150,000.00
School of Mines.....	Act June 20, 1910 (36 Stat. 557, 561).....	150,000.00
Military institutes.....	Act June 20, 1910 (36 Stat. 557, 561).....	100,000.00
Payment of bonds issued by Grant and Santa Fe Counties.....	Act June 20, 1910 (36 Stat. 557, 561).....	1,000,000.00
Common schools, secs. 2 and 32 (or indemnity lands).....	Act June 20, 1910 (36 Stat. 557, 561).....	4,355,662.00
Agricultural college.....	Act Mar. 2, 1927 (44 Stat. 1266), as amended by Pub. Res. 58 (44 Stat. 1348).....	54,808.41
Reimbursement of certain counties and town of Silver City.....	Act May 26, 1928 (45 Stat. 776).....	250,000.00
Eastern New Mexico Normal School.....	Act Mar. 31, 1933 (47 Stat. 75).....	76,667.00
Regents of University of New Mexico for archaeological purposes.....	Act Aug. 19, 1935 (49 Stat. 659).....	218.13
Purpose not specified.....	Act Aug. 24, 1937 (50 Stat. 747).....	46.10
Regents of Agricultural College of New Mexico.....	Act Feb. 14, 1938 (Pub. 429).....	2,069.70
Total.....		12,789,916.20

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State or Territory and purpose of grant	Granting acts	Amount granted (acres)
NEW YORK		
(Agricultural college scrip.....)	Act July 2, 1862 (12 Stat. 508)	990,000.00
NORTH CAROLINA		
(Agricultural college scrip.....)	Act July 2, 1862 (12 Stat. 502)	270,000.00
NORTH DAKOTA		
University.....	Acts Feb. 22, 1889 (26 Stat. 676), and Feb. 12, 1891 (21 Stat. 224)	88,080.00
Agricultural college.....	Act Feb. 22, 1889 (26 Stat. 676)	120,000.00
Public buildings.....	Act Feb. 22, 1889 (26 Stat. 676)	81,000.00
Educational and charitable purposes.....	Act Feb. 22, 1889 (26 Stat. 676)	170,000.00
Deaf and dumb asylum.....	Act Feb. 22, 1889 (26 Stat. 676)	40,000.00
Reformatory school.....	Act Feb. 22, 1889 (26 Stat. 676)	40,000.00
School of mines.....	Act Feb. 22, 1889 (26 Stat. 676)	40,000.00
Normal school.....	Act Feb. 22, 1889 (26 Stat. 676)	80,000.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act Feb. 22, 1889 (26 Stat. 676)	2,424,228.00
State historical society.....	Act Mar. 2, 1907 (34 Stat. 1241)	78.88
Total.....		2,162,551.88
OHIO		
Seminaries of learning.....	Acts Apr. 21, 1793 (1 Stat. 267), and Mar. 3, 1808 (2 Stat. 226)	64,120.00
Common schools, sec. 16 (or indemnity lands).....	Acts Apr. 30, 1803 (2 Stat. 178), and Mar. 3, 1808 (2 Stat. 226)	724,266.00
Salt springs and contiguous lands.....	Act Apr. 30, 1803 (2 Stat. 177)	24,216.00
Internal improvements (canals and roads).....	Acts Feb. 28, 1828 (2 Stat. 727), Mar. 3, 1827 (4 Stat. 243), and May 24, 1828 (4 Stat. 305)	1,019,071.98
Swamp.....	Act Sept. 28, 1830 (9 Stat. 519)	26,331.08
(Agricultural college scrip.....)	Act July 2, 1862 (12 Stat. 508)	620,000.00
Total.....		2,498,005.98
OKLAHOMA		
Normal schools.....	Act June 16, 1906 (34 Stat. 267)	300,000.00
Oklahoma university.....	Act June 16, 1906 (34 Stat. 267)	260,000.00
University preparatory school.....	Act June 16, 1906 (34 Stat. 267)	180,000.00
Agricultural and mechanical college.....	Act June 16, 1906 (34 Stat. 267)	260,000.00
Colored agricultural and normal university.....	Act June 16, 1906 (34 Stat. 267)	100,000.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act June 16, 1906 (34 Stat. 267)	1,878,000.00
Institutional purposes, certain secs. 13 and 33.....	Act June 16, 1906 (34 Stat. 267)	600,000.00
Insane asylum.....	Act May 29, 1908 (35 Stat. 466)	1,760.25
Total.....		3,095,760.25
OREGON		
Internal improvements.....	Act Sept. 4, 1841 (5 Stat. 453)	500,000.00
Swamp.....	Act Sept. 28, 1830 (9 Stat. 519)	286,107.50
University.....	Act Feb. 14, 1859 (11 Stat. 383)	46,080.00
Public buildings.....	Act Feb. 14, 1859 (11 Stat. 383)	6,400.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act Feb. 14, 1859 (11 Stat. 383)	2,399,360.00
Salt springs and contiguous lands.....	Act Feb. 14, 1859 (11 Stat. 383)	46,080.00
(Agricultural college scrip.....)	Act July 2, 1862 (12 Stat. 508)	90,000.00
Public park.....	Act Aug. 11, 1916 (39 Stat. 805)	1,401.95
University.....	Act Mar. 3, 1981 (46 Stat. 1606)	85.43
Total.....		4,875,514.88
PENNSYLVANIA		
(Agricultural college scrip.....)	Act July 2, 1862 (12 Stat. 508)	780,000.00
RHODE ISLAND		
(Agricultural college scrip.....)	Act July 2, 1862 (12 Stat. 503)	120,000.00

State or Territory and purpose of grant	Granting acts	Amount granted (acres)
SOUTH CAROLINA		
Agricultural college scrip.....	Act July 2, 1862 (12 Stat. 503)	150,000.00
SOUTH DAKOTA		
Insane asylum.....	Acts June 16, 1880 (21 Stat. 290), and Apr. 1, 1893 (27 Stat. 15)	640.00
University.....	Act Feb. 12, 1881 (21 Stat. 326)	46,080.00
University.....	Act Feb. 22, 1889 (25 Stat. 678)	40,000.00
Agricultural college.....	Act Feb. 22, 1889 (25 Stat. 678)	169,000.00
Public buildings.....	Act Feb. 22, 1889 (25 Stat. 678)	82,000.00
Educational and charitable.....	Act Feb. 22, 1889 (25 Stat. 678)	170,000.00
Deaf and dumb asylum.....	Act Feb. 22, 1889 (25 Stat. 678)	40,000.00
Reform school.....	Act Feb. 22, 1889 (25 Stat. 678)	40,000.00
School of mines.....	Act Feb. 22, 1889 (25 Stat. 678)	40,000.00
Normal schools.....	Act Feb. 22, 1889 (25 Stat. 678)	80,000.00
Missionary work.....	Act Mar. 2, 1889 (25 Stat. 895)	100.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act Feb. 22, 1889 (25 Stat. 678)	2,783,084.00
Military campground.....	Act Oct. 1, 1890 (26 Stat. 645)	840.00
Public park.....	Act May 12, 1928 (45 Stat. 801)	1,599.99
Custer State Park.....	Act Mar. 3, 1925 (43 Stat. 1185)	1,109.88
Total.....		3,484,871.96
TENNESSEE		
Agricultural college scrip.....	Act July 2, 1862 (12 Stat. 503)	300,000.00
Total.....		300,000.00
TEXAS		
Agricultural college scrip.....	Act July 2, 1862 (12 Stat. 503)	180,000.00
Total.....		180,000.00
UTAH		
University.....	Act Feb. 21, 1855 (10 Stat. 611)	46,080.00
University.....	Act July 16, 1894 (28 Stat. 107)	110,000.00
Agricultural college.....	Act July 16, 1894 (28 Stat. 107)	208,000.00
Public buildings.....	Act July 16, 1894 (28 Stat. 107)	84,000.00
Insane asylum.....	Act July 16, 1894 (28 Stat. 107)	100,000.00
Deaf and dumb asylum.....	Act July 16, 1894 (28 Stat. 107)	100,000.00
Reform school.....	Act July 16, 1894 (28 Stat. 107)	100,000.00
School of mines.....	Act July 16, 1894 (28 Stat. 107)	100,000.00
Normal schools.....	Act July 16, 1894 (28 Stat. 107)	100,000.00
Blind asylum.....	Act July 16, 1894 (28 Stat. 107)	100,000.00
Permanent reservoirs.....	Act July 16, 1894 (28 Stat. 107)	600,000.00
Miners' hospital.....	Act July 16, 1894 (28 Stat. 107)	80,000.00
Common schools, secs. 2, 16, 32, 36 (or indemnity lands).....	Act July 16, 1894 (28 Stat. 107)	5,844,196.00
Penitentiary near Salt Lake City.....	Act July 16, 1894 (28 Stat. 107)	160.00
Miners' hospitals.....	Act Feb. 20, 1926 (45 Stat. 1253)	50,000.00
University purposes.....	Act June 22, 1934 (48 Stat. 1208)	60.84
Total.....		7,484,496.84
VERMONT		
Agricultural college scrip.....	Act July 2, 1862 (12 Stat. 503)	150,000.00
VIRGINIA		
Agricultural college scrip.....	Act July 2, 1862 (12 Stat. 503)	300,000.00
WASHINGTON		
University.....	Acts July 17, 1854 (10 Stat. 305), Mar. 14, 1864 (13 Stat. 28), and Feb. 22, 1889 (25 Stat. 678)	46,080.00
Agricultural college.....	Act Feb. 22, 1889 (25 Stat. 678)	90,000.00
Public buildings.....	Act Feb. 22, 1889 (25 Stat. 678)	132,000.00
Educational and charitable.....	Act Feb. 22, 1889 (25 Stat. 678)	200,000.00
Normal schools.....	Act Feb. 22, 1889 (25 Stat. 678)	100,000.00

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Poor farm.....
Hot Salt Spring
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¹ A grant to act of Aug. 22,

State or Territory and purpose of grant	Granting acts	Amount granted (acres)
WASHINGTON—continued		
Scientific schools.....	Act Feb. 22, 1889 (26 Stat. 676).....	100,000.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Feb. 22, 1889 (26 Stat. 676).....	2,376,281.00
Total.....		<u>2,476,281.00</u>
WEST VIRGINIA		
Agricultural college scrip.....	Act July 2, 1862 (12 Stat. 508).....	150,000.00
WISCONSIN¹		
Canal.....	Acts June 12, 1845 (5 Stat. 245), and Apr. 10, 1868 (14 Stat. 20).	528,628.97
Internal improvements.....	Act Sept. 4, 1841 (5 Stat. 453).....	500,000.00
University.....	Acts Aug. 6, 1848 (9 Stat. 54), and Dec. 14, 1854 (10 Stat. 597).	92,160.00
Public buildings.....	Act Aug. 6, 1848 (9 Stat. 54).....	4,400.00
Common schools, sec. 16 (or indemnity lands).....	Act Aug. 6, 1848 (9 Stat. 54).....	983,228.00
River improvements.....	Act Aug. 8, 1848 (9 Stat. 55).....	682,722.43
Swamp.....	Act Sept. 28, 1850 (9 Stat. 519).....	2,254,857.00
Swampland indemnity.....	Acts Mar. 2, 1855 (10 Stat. 684), and Mar. 2, 1857 (11 Stat. 261).	104,047.99
Agricultural college.....	Act July 2, 1862 (12 Stat. 508).....	240,000.00
Forestry.....	Act June 27, 1906 (34 Stat. 117).....	20,000.00
Total.....		<u>8,222,643.99</u>
WYOMING		
University.....	Act Feb. 18, 1891 (21 Stat. 826).....	48,080.00
Fish hatcheries.....	Acts May 7, 1888 (25 Stat. 186), and July 10, 1890 (26 Stat. 222).	5,480.00
Common schools, secs. 16 and 36 (or indemnity lands).....	Act July 10, 1890 (26 Stat. 222).....	2,470,009.00
Agricultural college.....	Act July 10, 1890 (26 Stat. 222).....	90,000.00
Public buildings.....	Act July 10, 1890 (26 Stat. 222).....	107,000.00
Penitentiary.....	Act July 10, 1890 (26 Stat. 222).....	30,000.00
Insane asylum.....	Act July 10, 1890 (26 Stat. 222).....	80,000.00
Charitable, educational, penal, etc., institutions.....	Act July 10, 1890 (26 Stat. 222).....	290,000.00
Miners' hospital.....	Act July 10, 1890 (26 Stat. 222).....	30,000.00
Deaf and dumb asylum.....	Act July 10, 1890 (26 Stat. 222).....	30,000.00
Poor farm.....	Act July 10, 1890 (26 Stat. 222).....	10,000.00
Hot Salt Springs.....	Act June 7, 1897 (30 Stat. 96).....	640.00
Total.....		<u>4,189,209.00</u>
Grand total.....		<u>208,815,730.30</u>

¹ A grant to Wisconsin of unsurveyed islands in inland lakes for forestry purposes, was made by the act of Aug. 22, 1912 (37 Stat. 324)—no estimate made as to area involved.

Attachment C

**"University Land Grants,"
Prepared by the University of Alaska**

UNIVERSITY LAND GRANTS
(IN ACRES)

State	University Land Grant	State Land Grant	% of Total Grant to State
New York	990,000	990,000	100.00%
Pennsylvania	780,000	780,000	100.00%
Massachusetts	360,000	360,000	100.00%
Tennessee	300,000	300,000	100.00%
Virginia	300,000	300,000	100.00%
Georgia	270,000	270,000	100.00%
North Carolina	270,000	270,000	100.00%
Maine	210,000	210,000	100.00%
Maryland	210,000	210,000	100.00%
New Jersey	210,000	210,000	100.00%
Connecticut	180,000	180,000	100.00%
South Carolina	180,000	180,000	100.00%
Texas	180,000	180,000	100.00%
New Hampshire	150,000	150,000	100.00%
Vermont	150,000	150,000	100.00%
West Virginia	150,000	150,000	100.00%
Rhode Island	120,000	120,000	100.00%
Delaware	90,000	90,000	100.00%
Kentucky	330,000	354,607	93.06%
Oklahoma	1,050,000	3,095,780	33.92%
Ohio	699,120	2,758,862	25.34%
Washington	336,080	3,044,471	11.04%
Indiana	436,080	4,040,518	10.79%
South Dakota	366,080	3,435,373	10.66%
North Dakota	336,080	3,163,552	10.62%
New Mexico	1,346,546	12,794,718	10.52%
Idaho	386,686	4,254,448	9.09%
Illinois	526,080	6,234,655	8.44%
Arizona	849,197	10,543,753	8.05%
Alabama	383,785	5,006,883	7.67%
Utah	556,141	7,501,737	7.41%
Montana	388,721	5,963,338	6.52%
Mississippi	348,240	6,097,997	5.71%
Missouri	376,080	7,417,022	5.07%
Nevada	136,080	2,725,226	4.99%
Nebraska	136,080	3,458,711	3.93%
Iowa	286,080	8,061,262	3.55%
Wisconsin	332,160	10,179,804	3.26%
Wyoming	136,080	4,342,520	3.13%
Colorado	138,040	4,471,604	3.09%
Michigan	286,080	12,142,846	2.36%
Louisiana	256,292	11,441,343	2.24%
California	196,080	8,825,508	2.22%
Kansas	151,270	7,794,669	1.94%
Oregon	136,165	7,032,847	1.94%
Arkansas	196,080	11,936,834	1.64%
Minnesota	212,160	16,422,051	1.29%
Florida	182,160	24,214,366	0.75%
Alaska	112,064	104,569,251	0.11%
Totals	16,707,787	328,426,636	

Source: Marl Montgomery, Director, Office of Land Management, University of Alaska,
907-786-7788.

HJR

15

ALASKA STATE LEGISLATURE



Rep. John Harris
Rep. Peggy Wilson
Rep. Jim Elkins
Rep. Mary Kapsner
Rep. Woodie Salmon

State Capitol, Room 124
Juneau, AK 99801-1132
Co-Chairs
Rep. Gabrielle LeDoux
(907) 465-2487 FAX 465-4956
Rep. Bill Thomas
(907) 465-3732 FAX 465-2652

HOUSE SPECIAL COMMITTEE ON FISHERIES

SPONSOR STATEMENT

HJR 15

“Relating to open ocean aquaculture in the federal exclusive economic zone”

Open Ocean Aquaculture (OOA) is a concept that concerns many Americans who are involved in the seafood business and whose communities depend on the economic strength of the commercial fishing industry. This new method of seafood production has been under development for a number of years, and there is pending federal legislation drafted by the Department of Commerce that would establish a program allowing OOA in federal waters.

In response to many environmental, economic and social concerns, Alaska enacted legislation in 1990 that prohibits finfish farming in state waters. This prohibition has enabled the Alaska fishing industry to differentiate itself in the global seafood market. Our name is associated with natural, healthy and safe seafood that has inherent quality because it is not artificially raised with antibiotics, artificial coloring and industrial fish food. Alaska's relative market share of seafood has diminished with the massive increases in farmed fish production, but our products have excellent name recognition and often occupy high value niches in the market. Our commitment to wild fisheries is beginning to pay dividends to our industry and the state, as some prices that dipped to severely low levels are showing strong signs of recovery.

HJR 15 recognizes that the Alaska Legislature is committed to ensuring the biological and economic health of our fisheries and the social and economic well-being of our communities. It requests that the U.S. Congress require any federal proposal to authorize OOA to undergo a legislative environmental impact statement. It also asks that the North Pacific Fisheries Management Council be involved in any proposals regarding OOA. This is critical in that the Council was established to regulate the fisheries of the Gulf of Alaska and Bering Sea. It is essential that the Council, which generally has so well managed Alaska's federal fisheries, be a part of any discussion of OOA proposals.

[Representative Gabrielle LeDoux@legis.state.ak.us](mailto:Representative_Gabrielle_LeDoux@legis.state.ak.us)
[Representative Bill Thomas@legis.state.ak.us](mailto:Representative_Bill_Thomas@legis.state.ak.us)

CS FOR HOUSE JOINT RESOLUTION NO. 15()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE SPECIAL COMMITTEE ON FISHERIES

A RESOLUTION

1 **Relating to open ocean aquaculture in the federal exclusive economic zone.**

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

3 **WHEREAS** Alaska wild fish stocks are healthy and sustainable, in large part due to a
4 strong gene pool and Alaska's history of sound fisheries management, clean water, and habitat
5 protection; and

6 **WHEREAS** Alaska commercial, subsistence, and recreational fisheries are managed
7 to achieve the state's constitutional mandate of sustained yield; and

8 **WHEREAS** the State of Alaska enacted legislation in 1990 to prohibit finfish farming
9 in state waters; and

10 **WHEREAS** there are numerous outstanding issues and concerns regarding the social,
11 economic, health, and environmental consequences of farmed fish, both in state and federal
12 waters; and

13 **WHEREAS** open net cage fish farming poses persistent risks to the health of the
14 marine resources of Alaska; and

15 **WHEREAS** there are patents pending to cultivate and introduce genetically modified
16 fish into open waters which will pose a direct threat to wild stock fisheries; and

1 **WHEREAS** salmon farming has had severe economic impacts on coastal
2 communities in Alaska as demonstrated by significantly lower prices for wild salmon
3 fisheries products; and

4 **WHEREAS** Alaska coastal communities and fishing families rely on the health of
5 wild fish stocks for a strong economy; and

6 **WHEREAS** global markets increasingly demand natural seafood products harvested
7 sustainably from a clean environment; and

8 **WHEREAS** the seafood industry in Alaska has developed strong name recognition in
9 the marketplace for wild, natural, and healthy seafood products; and

10 **WHEREAS** successful seafood marketing depends on product differentiation and
11 Alaska's untarnished name is its greatest asset in the global market; and

12 **WHEREAS** the National Oceanic and Atmospheric Administration is promoting
13 legislation to permit open ocean aquaculture in federal waters from three to 200 miles
14 offshore of the states; and

15 **WHEREAS** the Magnuson-Stevens Fishery Conservation and Management Act
16 provides for input from fishermen and coastal communities through regional fishery
17 management councils; and

18 **WHEREAS** the proponents of federal open ocean aquaculture and members of the
19 ocean aquaculture industry have not satisfactorily demonstrated that this activity will not be
20 detrimental to the ocean resources and to the economy of Alaska coastal communities; and

21 **WHEREAS** Governor Frank H. Murkowski has proposed a five-year moratorium on
22 all permitting, leasing, or development of ocean pen-reared shellfish and finfish in the federal
23 exclusive economic zone off Alaska;

24 **BE IT RESOLVED** that the Alaska State Legislature is committed to ensuring that
25 open ocean aquaculture does no harm to ecosystem integrity, to existing wild fisheries, or to
26 the social and economic well-being of Alaska coastal communities; and be it

27 **FURTHER RESOLVED** that the Alaska State Legislature opposes open ocean
28 aquaculture for finfish and predatory shellfish in the waters off Alaska; and be it

29 **FURTHER RESOLVED** that the Alaska State Legislature respectfully urges
30 Congress to prohibit the issuance of any license to permit an aquaculture facility that imports
31 exports, possesses, cultivates, sells or otherwise handles genetically modified fish in the

1 federal exclusive economic zone or has access to open waters; and be it

2 **FURTHER RESOLVED** that the Alaska State Legislature supports the regional
3 fishery management councils under the Magnuson-Stevens Fishery Conservation and
4 Management Act and respectfully requests that the councils be granted authority over any
5 proposals regarding open ocean aquaculture in federal waters; and be it

6 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests the
7 United States Congress to require any federal proposal to authorize open ocean aquaculture in
8 the federal exclusive economic zone to undergo a legislative environmental impact statement,
9 as required by law.

10 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
11 of the United States; the Honorable Ted Stevens, President Pro Tempore of the U.S. Senate
12 and member of the Alaska delegation in Congress; the Honorable J. Dennis Hastert, Speaker
13 of the U.S. House of Representatives; the Honorable Carlos Gutierrez, United States Secretary
14 of Commerce; and the Honorable Lisa Murkowski, U.S. Senator, and the Honorable Don
15 Young, U.S. Representative, members of the Alaska delegation in Congress.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 15
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
 Title Relating to open ocean aquaculture in the BRU Legislative Council
 federal exclusive economic zone. Component: Session Expenses
 Sponsor House Special Committee on Fisheries
 Requestor House Special Committee on Fisheries Component No. 783

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	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
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 (FY2004) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 465-8626
 Division Administrative Services Date/Time 3/7/05 1:34 PM
 Approved by: Pamela Varni, Executive Director Date 3/7/2005
 Agency Legislative Affairs Agency

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 15
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title Relating to Open Ocean Aquaculture RDU _____
In the Federal Exclusive Economic Component _____
 Sponsor House Special Committee on Fisheries
 Requester House Special Committee on Fisheries 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						
Supplies						
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 3/8/05 4:54 PM
 Approved by: Acting Commissioner Wayne Regelin Date 3/8/2005
 Agency: Alaska Department of Fish & Game



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1178
(907) 588-2820
(907) 463-2548 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

March 8, 2005

Representative Bill Thomas, Co-Chair
House Special Committee on Fisheries
Alaska State Legislature
State Capitol (Mail Stop 3100)
Juneau AK 99801-1182

Dear Representative Thomas,

United Fishermen of Alaska (UFA) represents thirty-one Alaska commercial fishing groups and hundreds of individual fishermen, crew members and related businesses. UFA supports House Joint Resolution 15 as a clear statement to congress from the State of Alaska regarding the potential environmental and economic threat of fish farms in federal waters.

UFA shares the position in HJR 15, that any management of any offshore aquaculture be under the authority of the regional fishery management councils. UFA also supports the requirement of a legislative environmental impact statement on any federal legislation that would allow fish farms in the Exclusive Economic Zone off U.S. Waters.

Respectfully,

Mark D. Vinsel
Executive Director

MEMBER ORGANIZATIONS

Alaska Crab Coalition - Alaska Droggers Association - Alaska Longline Fishermen's Association - Armstrong Keta - Al-Sea Processors Association
Bristol Bay Reserve - Concerned Area "M" Fishermen - Cordova District Fishermen United - Douglas Island Pink and Chum
Fishing Vessel Owners Association - Groundfish Forum - Kaniak Peninsula Fishermen's Association - Kodiak Regional Aquaculture Association
North Pacific Fisheries Association - North Pacific Scallop Cooperative - Northern Southeast Regional Aquaculture Association
Old Harbor Fishermen's Association - Petersburg Vessel Owners Association - Prince William Sound Aquaculture Corporation
Purse Seine Vessel Owner Association - Seafood Producers Cooperative - Southeast Alaska Herring Seiners Marketing Association
Southeast Alaska Fisherman's Alliance - Southeast Alaska Regional Diver Fisheries Association - Southeast Alaska Seiners Association
Southern Southeast Regional Aquaculture Association - United Catcher Boats - United Salmon Association - United Southeast Alaska Gillnetters
Valdez Fisheries Development Association - Western Gulf of Alaska Fishermen

SUPPORT

ALASKA STATE LEGISLATURE HOUSE RESOURCES COMMITTEE

Representative Jay Ramras
Co-Chairman
(907) 465-3004
Fax: (907) 465-2833

Representative_Jay_Ramras@legis.state.ak.us

119 N. Cushman St., Suite 213
Fairbanks, AK 99701



Representative Ralph Samuels
Co-Chairman
(907) 465-2095
Fax: (907) 465-3810

Representative_Ralph_Samuels@legis.state.ak.us

716 W. 4th Avenue
Anchorage, AK 99501

State Capitol, Juneau, Alaska 99801-1182

Fax

To: George Utermohle

Fax #: 2029

Number of pages including cover: 1

Fm: Jim Pound 

Cc:

Date: March 21, 2005, 2:59 PM

Re: Amendments to HJR 15 24-LS0631Y

Please make the following changes to the above referenced resolution and return as a Resources CS.

Page 2, Line 28

Delete: "in the waters off Alaska"

Page 3, Line 9

Delete "law"

Insert " the National Environmental Policy Act"

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Thank you

HJR

16

ALASKA STATE LEGISLATURE

INTERIM

50 Front Street
Suite 203
Ketchikan, Alaska 99901
Phone (907) 247-4672
Fax: (907) 225-8546



SESSION

Suite 416
State Capitol Building
Juneau, Alaska 99801
Phone: (907) 465-3424
Fax: (907) 465-3793

REPRESENTATIVE JIM ELKINS

Sponsor Statement

House Joint Resolution 16 opposes the designation of any area in Alaska as a World Heritage Site, Biosphere Reserve, or any other type of international designation without the specific consent of the Alaska State Legislature. It also urges the United States Congress to pass and the President to sign legislation that will require approval by an Act of Congress before any area in the United States or its territories can be nominated as a World Heritage Site, Biosphere Reserve, or any other type of international designation.

This resolution urges the Congress of the United States to reaffirm the power of Congress, under article IV, section 3 of the United States Constitution over international agreements, which concern disposal, management, and use of lands belonging to the United States. To protect State powers not reserved to the Federal Government under the Constitution from Federal actions designating lands pursuant to international agreements. Ensure that no United States citizen suffers any diminishment or loss of individual rights as a result of Federal actions designating lands pursuant to international agreements for purposes of imposing restrictions on use of those lands. Protect private interests in real property from diminishment as a result of Federal actions designating lands pursuant to international agreements.

24-LS0748VG
Bullock
3/31/05

CS FOR HOUSE JOINT RESOLUTION NO. 16()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE ELKINS

A RESOLUTION

1 **Opposing the designation of any area in the state as a world heritage site, biosphere**
2 **reserve, or any other type of international designation without the consent of the Alaska**
3 **State Legislature and affected local governments.**

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

5 **WHEREAS** the United Nations has designated over 60 sites in the United States as
6 "world heritage sites" or "biosphere reserves," which altogether are equal in size to the State
7 of Colorado, the eighth largest state; and

8 **WHEREAS** art. IV, sec. 3, United States Constitution, provides that the United States
9 Congress shall make all needed rules and regulations respecting the territory or other property
10 belonging to the United States and nothing in the constitution shall be construed to prejudice
11 any claims of the United States or of any state; and

12 **WHEREAS** many of the United Nations' designations include private property
13 inholdings and contemplate buffer zones of adjacent land; and

14 **WHEREAS** some international land designations, such as those under the United
15 States Biosphere Reserve Program and the Man and Biosphere Program of the United Nations

1 Educational, Scientific, and Cultural Organization, operate under independent national
2 committees such as the United States Man and Biosphere National Committee that have no
3 legislative directives or authorization from the United States Congress; and

4 **WHEREAS** local citizens and public officials concerned about job creation and
5 resource-based economies usually have no say in the designation of land near their homes for
6 inclusion in an international land use program; and

7 **WHEREAS** these international designations are an open invitation to the international
8 community to interfere in domestic economies and land use decisions; and

9 **WHEREAS** environmental groups and the United States Department of the Interior,
10 National Park Service, have been working to establish an international park, a world heritage
11 site, and a marine biosphere reserve called Beringia covering parts of western Alaska, eastern
12 Russia, and the Bering Sea; and

13 **WHEREAS** foreign companies and countries could use these international
14 designations in western Alaska to block economic development that they perceive as
15 competition; and

16 **WHEREAS** animal right activists could use these international designations to
17 generate pressure to harass or block harvesting of marine mammals by Alaska Natives; and

18 **WHEREAS** these international designations could be used to harass or block
19 commercial activity, including pipelines, railroads, and power transmission lines; and

20 **WHEREAS** the United States Department of the Interior, in cooperation with the
21 Federal Interagency Panel for World Heritage, has identified the Aleutian Island Unit of the
22 Alaska Maritime National Wildlife Refuge, Arctic National Wildlife Refuge, Cape
23 Krusenstern National Monument, Denali National Park, Gates of the Arctic National Park,
24 and Katmai National Park as likely to meet the criteria for future nomination as world heritage
25 sites; and

26 **WHEREAS**, under current law, the United States Secretary of the Interior can
27 nominate world heritage sites, and the United States Secretary of State can nominate
28 biosphere reserves, both without approval by the Congress;

29 **BE IT RESOLVED** that the Alaska State Legislature recognizes and reaffirms the
30 constitutional authority of the Congress as the elected representatives of the people over the
31 federally owned land of the United States; and be it

1 **FURTHER RESOLVED** that the Alaska State Legislature objects to the nomination
2 or designation of any site in Alaska as a world heritage site, biosphere reserve, or any other
3 type of international designation without the prior consent of the Alaska State Legislature and
4 affected local governments; and be it

5 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
6 Congress to pass and the President to sign legislation that will require approval by an Act of
7 Congress before any area in the United States or its territories can be studied as a potential, or
8 nominated to be, a world heritage site, biosphere reserve, or any other type of international
9 designation.

10 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
11 of the United States; the Honorable Richard B. Cheney, Vice-President of the United States
12 and President of the U.S. Senate; the Honorable Gale Norton, United States Secretary of the
13 Interior; the Honorable Condoleezza Rice, United States Secretary of State; the Honorable J.
14 Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Bill Frist,
15 Majority Leader of the U.S. Senate; the Honorable Harry Reid, Minority Leader of the U.S.
16 Senate; the Honorable Tom DeLay, Majority Leader of the U.S. House of Representatives;
17 the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the
18 Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable
19 Don Young, U.S. Representative, members of the Alaska delegation in Congress; and, by
20 electronic transmission, all other members of the 109th United States Congress.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 16
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
 Title "Opposing the designation of any area in BRU Legislative Council
the state as a world heritage site, biosphere reserve, ..." Component: Council and Subcommittees
 Sponsor Representative Elkins Session Expenses
 Requestor House Resources Committee Component No. 783

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	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
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 (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director
 Division: Administrative Services
 Approved by: Pamela Tarni, Executive Director
 Agency: Legislative Affairs Agency

Phone 465-6626
 Date/Time 3/29/05 9:55 AM
 Date 3/29/2005



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

March 30, 2005

Representative Jim Elkins
Alaska State House of Representatives
Juneau, AK 99802

RE: HJR 16: Oppose UN Land Designations in Alaska

Dear Representative Elkins:

On behalf of the Resource Development Council for Alaska, Inc. (RDC), I am writing to support HJR 16 – Oppose UN Land Designations in Alaska.

RDC is a private, non-profit trade association representing individuals and companies from each of Alaska's basic industries — oil and gas, mining, timber, tourism and fisheries. Our membership also includes Native regional and village corporations, local communities and organized labor. RDC's mission is to help grow Alaska's economy through the responsible development of the state's natural resources.

ANILCA created a vast network of conservation system units in Alaska. The federal government currently lays claim to over 235 million acres in Alaska — 64 percent of the state's total land mass. Over 58 million acres of this land is officially designated Wilderness, giving Alaska 55 percent of the nation's total Wilderness lands. To put this number in perspective, Alaska's federally designated Wilderness lands are greater in size than each of the following states: Florida, Illinois, Minnesota, New York and Washington. In addition, the state of Alaska has created the largest state park system in the union.

Because of this level of protection, the creation of additional world heritage sites, marine biospheres, or international parks in Alaska is unnecessary. Such designations would severely limit the economic potential of resource development projects throughout our great state. Further, because of the "no more" clause of ANILCA, additional lands in Alaska are prohibited from being added as conservation system units. RDC believes Alaskans are best positioned to make decisions regarding our land and our resources. Therefore, we endorse the intent of this resolution to mandate the consent of the Alaska State Legislature and the U.S. Congress prior to the establishment of future world heritage sites, biosphere reserves, or any other type of international designations.

Sincerely,

RESOURCE DEVELOPMENT COUNCIL for Alaska, Inc.

Jason Brune
Projects Coordinator

- Founded 1973
- Executive Director
Theodore J. Owens
- 2004-2005 Executive Committee
- John Shaefly, President
- Mark Bailey, Sr., Vice President
- Mark Kagan, Vice President
- Thomas Maloney, Secretary
- Stephanie Madson, Treasurer
- Patty Malowski
- Allen Stingham
- Marlynn Crockett
- Steve Denton
- Jaime Y. Foley
- Paul S. Glavinovich
- Terese Iann
- Wendy Lindstrom
- Kirk McGee
- Ron McPherson
- Richard Owen
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- Andrew Van Chou
- John Whitehead
- Directors
- Irene A. Anderson
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- Robert Coit
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- Carol Fraser
- Charles Green
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- Bob Harris
- Larry Harris
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- Don Hasey
- Anthony M. Izzo
- Bob Jacso
- David Jensen
- Charles W. Johnson
- Dianna M. Kater
- Frank A. Kelly
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- Francis LaChapelle
- Jim Laibi
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- David L. Matthews
- William Harry McDonald
- William McLaughlin
- James Merry
- Jim Palmer
- Charles A. Pierce, III
- William E. Pierce
- Debbie Rainward
- Elizabeth Rensch
- Theresa J. Sharub
- Lorna Shaw
- Kerith N. Silver
- Joseph Sprague
- Jeanine St. John
- Lee Stoope
- John L. Sturgeon
- Jim Dero
- Greg Thies
- Eric P. Yould
- Ex-Officio Members
- Governor Frank M. Murkowski
- Senator Lisa Murkowski
- Senator Ted Stevens
- Congressman Don Young

LEGISLATIVE RESEARCH REPORT

MARCH 1, 2005



REPORT NUMBER 05.151

BILLS OR RESOLUTIONS OPPOSING THE CREATION OF INTERNATIONAL PARKS, BIOSPHERE RESERVES, OR HERITAGE SITES

PREPARED FOR REPRESENTATIVE JIM ELKINS

BY ROGER WITHINGTON, LEGISLATIVE ANALYST

You asked for information on international parks, biosphere reserves or world heritage sites. Specifically, you wished to know if there have been any bills or resolutions introduced in the Alaska Legislature that oppose the establishment of such areas.

We searched the Alaska Legislature's *Final Status of Bills* books from 1975 through 2004 for any proposed legislation on the establishment of international parks, biosphere reserves or world heritage sites. We identified four pieces of legislation that appear to oppose such establishment: Senate Joint Resolution 41, introduced in 1996; House Joint Resolution 66, passed in 1996 as Legislative Resolve 71; House Joint Resolution 52, passed in 1998 as Legislative Resolve 62; and House Joint Resolution 15, passed in 1999 as Legislative Resolve 13.

House Joint Resolution 66, introduced in April 1996, and its companion legislation Senate Joint Resolution 41, stated the Alaska State Legislature's opposition to the authorization of an American Heritage Areas Program, which had been considered by Congress. The resolution urged members of Alaska's Congressional delegation to oppose the authorization and work to abolish the American Heritage Areas Program.¹ We include Legislative Resolve 71 (1996), as Attachment A, along with the bill history of House Joint Resolution 66.

House Joint Resolution 52, introduced in January 1998, stated the Alaska State Legislature's opposition to the nomination or designation of any river in Alaska as an American Heritage River under the American Heritage Rivers initiative. We include Legislative Resolve 62 (1998), as Attachment B, along with the bill history of House Joint Resolution 52.

¹ The American Heritage Areas Partnership Program Act of 1993 does not appear to have passed out of the United States Congress. The Act was reintroduced 1994, with the same results. Please note that we could find no mention of international parks, biosphere reserves or world heritage sites in the language of the Act.

House Joint Resolution 15, introduced in February 1999, stated, among other things, the Alaska State Legislature's opposition to the nomination or designation of any World Heritage Sites or Biosphere Reserves in Alaska without the specific consent of the Alaska State Legislature. We include Legislative Resolve 13 (1999), as Attachment C, along with the bill history of House Joint Resolution 15.

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

Attachment A

Legislative Resolve 71, Relating to opposing the American Heritage Areas Program, Nineteenth Alaska State Legislature, 1996.

Bill history for House Joint Resolution 66, Relating to opposing the American Heritage Areas Program, Nineteenth Alaska State Legislature, 1996.

Resolve: LR071
Year: 1996
Source Bill: HJR 66 am

LEGISLATIVE RESOLVE NO. 71 - Relating to opposing the American Heritage Areas Program.

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

WHEREAS the federal government is proposing to authorize an American Heritage Areas Program that would designate areas of the country and make those areas subject to legislation as part of the National Park System; and

WHEREAS federal proposals labeling private property invite, and are intended to invite, the destruction of private property rights, particularly when used by federal agencies in conjunction with other or subsequent legislation; and

WHEREAS provisions should be made under the American Heritage Areas Program in federal legislation to allow private property owners to reject or withdraw their property from such labeling without penalty, and to allow private property owners to avoid such labeling entirely; and

WHEREAS the National Park Service has devised the label "eligible but not designated" that creates the false impression that private property owners can avoid the consequences of being designated under the program despite the fact that this "eligible" label amounts to a de facto designation under the program because the government may treat eligible property the same as designated property under language such as, "This Act applies to . . . and properties eligible to be so designated"; and

WHEREAS the power to plan or zone private land is a power reserved to the states and the people of the states; and

WHEREAS, despite claims to the contrary, the clear intent and effect of the proposal would be to, de facto, involve the federal government in planning and zoning activities; and

WHEREAS it would be imprudent to tolerate or favor constitutionally questionable land designations and labels for which the consequences cannot be fully specified in advance but which appear likely to be injurious to private property rights; and

WHEREAS giving the American Heritage Areas Program a basis in legislation would greatly facilitate and increase the intrusive designation and labeling by government of private land; and

WHEREAS the enormity of some of the proposed areas (Rocky Mountain Heritage Corridor, Mississippi River Valley Heritage Corridor, and others) demonstrates an inexcusable and unacceptable federal arrogance;

BE IT RESOLVED that the Alaska State Legislature opposes the authorization of an American Heritage Areas Program and urges the members of Alaska's Congressional delegation to oppose the authorization and work to abolish the American Heritage Areas Program.

COPIES of this resolution shall be sent to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

4/17/96	3822	(H)	READ THE THIRD TIME HJR 65
4/17/96	3823	(H)	PASSED Y40
4/17/96	3827	(H)	TRANSMITTED TO (S)
4/18/96	3356	(S)	READ THE FIRST TIME - REFERRAL(S)
4/18/96	3356	(S)	TRANSPORTATION
4/26/96	3606	(S)	TRA RPT SDP
4/26/96	3606	(S)	PREVIOUS H ZERO FN (DOT)
4/28/96	3660	(S)	RULES TO CALENDAR 4/28/96
4/28/96	3673	(S)	READ THE SECOND TIME
4/28/96	3673	(S)	ADVANCED TO THIRD READING UNAN CONSENT
4/28/96	3673	(S)	READ THE THIRD TIME HJR 65
4/28/96	3674	(S)	PASSED Y19 N1
4/28/96	3674	(S)	TAYLOR NOTICE OF RECONSIDERATION
4/29/96	3700	(S)	REC'D TAKEN UP - IN THIRD READING
4/29/96	3701	(S)	PASSED ON RECONSIDERATION Y20 N-
4/29/96	3701	(S)	RETURN TO (H), TRANSMIT TO GOVERNOR NEXT
5/06/96	4518	(H)	11:35 PM 5/06/96 TRANSMITTED TO GOVERNOR
10/21/96	4730	(H)	READ BY GOVERNOR 5/09 LEGIS RESOLVE 55

HJR 66
HJR 66 AM

Relating to opposing the American Heritage Areas Program.

SPONSOR(S): RULES

CURRENT STATUS: LEGIS RESOLVE 71 STATUS DATE: 6/06/96

JRN-DATE	JRN-PG		ACTION
4/19/96	3880	(H)	READ THE FIRST TIME - REFERRAL(S)
4/19/96	3880	(H)	STATE AFFAIRS
4/26/96	4036	(H)	STA RPT SDP 2NR
4/26/96	4037	(H)	DP: JAMES, PORTER, GREEN, IVAN, OGAN
4/26/96	4037	(H)	NR: ROBINSON, WILLIS
4/26/96	4037	(H)	ZERO FISCAL NOTE (H.STA/LAA)
4/25/96	4037	(H)	RULES TO CALENDAR 4/26/96
4/26/96	4063	(H)	READ THE SECOND TIME
4/26/96	4063	(H)	AM NO 1 ADOPTED UNAN CONSENT
4/26/96	4063	(H)	ADVANCED TO THIRD READING UNAN CONSENT
4/26/96	4063	(H)	READ THE THIRD TIME HJR 66 AM
4/26/96	4064	(H)	PASSED Y26 N7 E5 A2
4/26/96	4064	(H)	KELLY NOTICE OF RECONSIDERATION
4/29/96	4135	(H)	RECONSIDERATION NOT TAKEN UP
4/29/96	4135	(H)	TRANSMITTED TO (S)
4/30/96	3718	(S)	READ THE FIRST TIME - REFERRAL(S)
4/30/96	3718	(S)	RESOURCES
5/03/96	3871	(S)	RES RPT 2DP 4NR
5/03/96	3871	(S)	PREVIOUS H ZERO FN (H.STA/LAA)
5/04/96	3914	(S)	RULES TO CALENDAR 5/4
5/04/96	3932	(S)	READ THE SECOND TIME
5/04/96	3932	(S)	FAILED TO ADVANCE Y12 N7 E1
5/04/96	3933	(S)	THIRD READING 5/5 CALENDAR
5/05/96	4028	(S)	READ THE THIRD TIME HJR 66 AM
5/05/96	4028	(S)	PASSED Y14 N6
5/05/96	4028	(S)	RETURN TO (H), TRANSMIT TO GOVERNOR NEXT
10/21/96	4753	(H)	11:10 AM 6/05/96 TRANSMITTED TO GOVERNOR
10/21/96	4759	(H)	FILED PERMANENTLY 6/06 LEGIS RESOLVE 71

HJR 67

Relating to transit fees imposed on United States fishing vessels by Canada.

SPONSOR(S): RESOURCES

CURRENT STATUS: (H) RES THEN FSH STATUS DATE: 4/30/96

NSENT

Attachment B

Legislative Resolve 62, Relating to the opposition to the designation of any rivers in Alaska as American Heritage Rivers under the American Heritage Rivers initiative, Twentieth Alaska State Legislature, 1998.

Bill history for House Joint Resolution 52, Relating to the opposition to the designation of any rivers in Alaska as American Heritage Rivers under the American Heritage Rivers initiative, Twentieth Alaska State Legislature, 1998.

Resolve: LR062
Year: 1998
Source Bill: SCS HJR 52(RES)

Relating to opposition to the designation of any rivers in Alaska as American Heritage Rivers under the American Heritage Rivers initiative.

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

WHEREAS the President of the United States has by Executive Order 13061 created the American Heritage Rivers initiative; and

WHEREAS the initiative allows a local river community to nominate its river for designation by the President as an American Heritage River; and

WHEREAS the initiative provides no meaningful protection of state or private property along designated rivers; and

WHEREAS the initiative creates a new layer of federal bureaucracy and engages 12 federal agencies in its implementation;

BE IT RESOLVED that the Alaska State Legislature opposes any attempt by the federal government to further designate or label state property in Alaska or to further federalize public land in Alaska; and be it

FURTHER RESOLVED that the Alaska State Legislature opposes the nomination or designation of any river in Alaska as an American Heritage River under the American Heritage Rivers initiative.

COPIES of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; the Honorable Newt Gingrich, Speaker of the U.S. House of Representatives; Kathleen A. McGinty, Chair of the Council on Environmental Quality; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

4/17/98	3344	(S)	READ THE THIRD TIME SCS CHRJR 51 (RES)
4/17/98	3344	(S)	CROSS SPONSOR(S): HALFORD, TORGERSON,
4/17/98	3344	(S)	GREEN, LEMAN, TAYLOR, DUBCAN, ADAMS,
4/17/98	3344	(S)	LINCOLN, HOFFMAN, WARD, MACKIE, DONLEY,
4/17/98	3344	(S)	SHARP
4/17/98	3344	(S)	PASSED Y20 N-
4/17/98	3346	(S)	TRANSMITTED TO (H) AS AMENDED
4/18/98	3067	(H)	HELD UNDER UNFINISHED BUSINESS
4/20/98	3126	(H)	CONCUR AM OF (S) Y39 A1
4/27/98	3297	(H)	2:20 PM 4/24/98 TRANSMITTED TO GOVERNOR
5/09/98	3666	(H)	PERMANENTLY FILED 5/8 LEGIS RESOLVE 61

HJR 52
SCS HJR 52 (RES)

Relating to opposition to the designation of any rivers in
Alaska as American Heritage Rivers under the American
Heritage Rivers initiative.

SPONSOR(S): REPRESENTATIVE(S) JAMES, Barnes, Therriault, Austerman, Ogan
Green, Hodgins, Rokeberg, Williams, Ryan; SENATOR(S) Pearce, Kelly, Ward
Halford, Sharp, Taylor, Torgerson, Green, Leman, Miller

CURRENT STATUS: LEGIS RESOLVE 62 STATUS DATE: 5/08/98

JRN-DATE	JRN-PO		ACTION
1/26/98	2132	(H)	READ THE FIRST TIME - REFERRAL(S)
1/26/98	2132	(H)	RESOURCES
2/27/98	2450	(H)	RES RPT 8DP
2/27/98	2450	(H)	DP: DYSON, WILLIAMS, GREEN, BARNES,
2/27/98	2450	(H)	MASEK, OGAN, HUDSON, JOULE
2/27/98	2450	(S)	ZERO FISCAL NOTE (H.RES)
3/27/98	2771	(H)	RULES TO CALENDAR 3/27/98
3/27/98	2771	(H)	READ THE SECOND TIME
3/27/98	2771	(H)	ADVANCED TO THIRD READING UNAN CONSENT
3/27/98	2771	(H)	READ THE THIRD TIME HJR 52
3/27/98	2772	(H)	PASSED Y30 N2 28
3/27/98	2776	(H)	COSPONSOR(S): OGAN, GREEN, HODGINS,
3/27/98	2776	(H)	ROKEBERG, WILLIAMS
3/27/98	2776	(H)	TRANSMITTED TO (S)
3/30/98	3048	(S)	READ THE FIRST TIME - REFERRAL(S)
3/30/98	3048	(S)	RESOURCES
4/07/98	3179	(S)	RES RPT SCS 6DP 1NR SAME TITLE
4/07/98	3179	(S)	DP: HALFORD, TAYLOR, SHARP, GREEN,
4/07/98	3179	(S)	TORGERSON, LEMAN, NR: LINCOLN
4/07/98	3180	(S)	(H) ZERO FN (H.RES)
4/18/98	3364	(S)	RULES TO CALENDAR 4/18/98
4/18/98	3365	(S)	READ THE SECOND TIME
4/18/98	3366	(S)	RES SCS ADOPTED UNAN CONSENT
4/18/98	3366	(S)	ADVANCED TO THIRD READING UNAN CONSENT
4/18/98	3366	(S)	READ THE THIRD TIME SCS HJR 52 (RES)
4/18/98	3366	(S)	CROSS SPONSOR(S): PEARCE, KELLY, WARD,
4/18/98	3366	(S)	HALFORD, SHARP, TAYLOR, TORGERSON,
4/18/98	3366	(S)	GREEN, LEMAN, MILLER
4/18/98	3366	(S)	PASSED Y15 N5
4/18/98	3370	(S)	TRANSMITTED TO (H) AS AMENDED
4/18/98	3067	(H)	HELD UNDER UNFINISHED BUSINESS
4/20/98	3124	(H)	CONCUR AM OF (S) Y32 N7 A1
4/20/98	3128	(H)	COSPONSOR: RYAN
4/23/98	3232	(H)	10:23 AM 4/23/98 TRANSMITTED TO GOVERNOR
5/09/98	3666	(H)	PERMANENTLY FILED 5/8 LEGIS RESOLVE 62

HJR 53
HJR 53 AM 8

Relating to support for federal legislation providing for
the continuation of the University of Alaska by the
conveyance of federal land to the university.

Attachment C

Legislative Resolve 13, Relating to support for the "American Land Sovereignty Protection Act" in the United States Congress, Twenty-first Alaska State Legislature, 1999.

Bill history for House Joint Resolution 15, Relating to support for the "American Land Sovereignty Protection Act" in the United States Congress, Twenty-first Alaska State Legislature, 1999.

Resolve: LR013

Year: 1999

Source Bill: CSHJR 15(RES)

Relating to support for the "American Land Sovereignty Protection Act" in the United States Congress.

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

WHEREAS the United Nations has designated 67 sites in the United States as "World Heritage Sites" or "Biosphere Reserves," which altogether are about equal in size to the State of Colorado, the eighth largest state; and

WHEREAS art. IV, sec. 3, United States Constitution, provides that the United States Congress shall make all needed regulations governing lands belonging to the United States; and

WHEREAS many of the United Nations' designations include private property inholdings and contemplate "buffer zones" of adjacent land; and

WHEREAS some international land designations such as those under the United States Biosphere Reserve Program and the Man and Biosphere Program of the United Nations Scientific, Educational, and Culture Organization operate under independent national committees such as the United States National Man and Biosphere Committee that have no legislative directives or authorization from the Congress; and

WHEREAS these international designations as presently handled are an open invitation to the international community to interfere in domestic economies and land use decisions; and

WHEREAS local citizens and public officials concerned about job creation and resource based economies usually have no say in the designation of land near their homes for inclusion in an international land use program; and

WHEREAS former Assistant Secretary of the Interior George T. Frampton, Jr., and the President used the fact that Yellowstone National Park had been designated as a "World Heritage Site" as justification for intervening in the environmental impact statement process and blocking possible development of an underground mine on private land in Montana outside of the park; and

WHEREAS a recent designation of a portion of Kamchatka as a "World Heritage Site" was followed immediately by efforts from environmental groups to block investment insurance for development projects on Kamchatka that are supported by the local communities; and

WHEREAS environmental groups and the National Park Service have been working to establish an International Park, a World Heritage Site, and a Marine Biosphere Reserve covering parts of western Alaska, eastern Russia, and the Bering Sea; and

WHEREAS, as occurred in Montana, such designations could be used to block development projects on state and private land in western Alaska; and

WHEREAS foreign companies and countries could use such international designations in western Alaska to block economic development that they perceive as competition; and

WHEREAS animal rights activists could use such international designations to generate pressure to harass or block harvesting of marine mammals by Alaska Natives; and

WHEREAS such international designations could be used to harass or block any commercial activity, including pipelines, railroads, and power transmission lines; and

WHEREAS the President and the executive branch of the United States have, by Executive Order and other agreements, implemented these designations without approval by the Congress; and

WHEREAS the United States Department of Interior, in cooperation with the Federal Interagency Panel for World Heritage, has identified the Aleutian Island Unit of the Alaska Maritime National Wildlife Refuge, Arctic National Wildlife Refuge, Cape Krusenstern National Monument, Denali National Park, Gates of the Arctic National Park, and Katmai National Park as likely to meet the criteria for future nomination as World Heritage Sites; and

WHEREAS the Alaska State Legislature objects to the nomination or designation of any World Heritage Sites or Biosphere Reserves in Alaska without the specific consent of the Alaska State Legislature; and

WHEREAS actions by the President in applying international agreements to lands owned by the United States may circumvent the Congress; and

WHEREAS Congressman Don Young introduced House Resolution No. 901 in the 105th Congress entitled the "American Land Sovereignty Protection Act of 1997" that required the explicit approval of the Congress prior to restricting any use of United States land under international agreements; and

WHEREAS Congressman Don Young has reintroduced this legislation in the 106th Congress as House Resolution No. 883, which is entitled the "American Land Sovereignty Protection Act";

BE IT RESOLVED that the Alaska State Legislature supports House Resolution 883, the "American Land Sovereignty Protection Act," that reaffirms the constitutional authority of the Congress as the elected representatives of the people over the federally owned land of the United States and urges the swift introduction and passage of such act by the 106th Congress; and be it

FURTHER RESOLVED that the Alaska State Legislature objects to the nomination or designation of any sites in Alaska as World Heritage Sites or Biosphere Reserves without the prior consent of the Alaska State Legislature.

COPIES of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

SPONSOR(S): REPRESENTATIVES(S) JAMES, Bunde, Austerman, Therriault

CURRENT STATUS: LEGIS RESOLVE 13 STATUS DATE: 5/11/99

Jrn-Date	Jrn-Page	Action
2/17/99	236	(H) READ THE FIRST TIME - REFERRAL(S)
2/17/99	236	(H) WTR. RES
3/05/99	363	(H) WTR RPT CS(WTR) NT 5DP
3/05/99	363	(H) DP: MASEK, PHILLIPS, GREEN, CONDERY,
3/05/99	363	(H) BARNES
3/05/99	363	(H) ZERO FISCAL NOT E (H. WTR/ALL DEPTS)
3/24/99	546	(H) RES RPT CS(RLS) NT 1DP 1NR
3/24/99	546	(H) DP: SANDERS, OGAN, BARNES, MORGAN;
3/24/99	546	(H) NR: JOULE
3/24/99	546	(H) ZERO FN (H.WTR/ALL DEPTS) 3/5/99
3/31/99	632	(H) RULES TO CALENDAR 3/31/99
3/31/99	632	(H) READ THE SECOND TIME
3/31/99	633	(H) RES CS ADOPTED UNAN CONSENT
3/31/99	633	(H) ADVANCED TO THIRD READING UNAN CONSENT
3/31/99	633	(H) READ THE THIRD TIME CSHJR 15(RES)
3/31/99	633	(H) PASSED Y31 N6 E1 A2
3/31/99	641	(H) COSPONSOR(S): BUNDE, AUSTERMAN,
3/31/99	641	(H) THERRIALT
3/31/99	642	(H) TRANSMITTED TO (S)
4/01/99	765	(S) READ THE FIRST TIME - REFERRAL(S)
4/01/99	765	(S) RES
4/26/99	1087	(S) RES RPT 3DP 2NR
4/26/99	1087	(S) DP: TAYLOR; PETE KELLY, GREEN;
4/26/99	1087	(S) NR: MACKIE, LINCOLN
4/26/99	1087	(S) HOUSE ZERO FN (H.WTR/ALL DEPTS)
5/06/99	1272	(S) RULES TO CALENDAR AND 1 OR 5/6/99
5/06/99	1275	(S) READ THE SECOND TIME
5/06/99	1275	(S) ADVANCED TO THIRD READING UNAN CONSENT
5/06/99	1275	(S) READ THE THIRD TIME CSHJR 15(RES)
5/06/99	1276	(S) PASSED Y15 N5
5/06/99	1276	(S) RETURN TO (H), TRANSMIT TO GOVERNOR NEXT
5/10/99	1306	(H) 1:30 PM 5/10/99 TRANSMITTED TO GOVERNOR
5/12/99	1334	(H) PERMANENTLY FILED 5/11 LEGIS RESOLVE 13

BJR 16

Congratulating the government and the people of the new Canadian territory of Nunavut.

SPONSOR(S): REPRESENTATIVES(S) JAMES, Joule, Morgan, Green

CURRENT STATUS: (H) WTR STATUS DATE: 2/22/99

Jrn-Date	Jrn-Page	Action
2/22/99	277	(H) READ THE FIRST TIME - REFERRAL(S)
2/22/99	277	(H) WTR, STA
3/03/99	349	(H) COSPONSOR(S): MORGAN
3/17/99	498	(H) COSPONSOR(S): GREEN

BJR 15

CSHJR 15(RES)

Relating to support for the "American Land Sovereignty Protection Act" in the United States Congress.

DANGERS OF DESIGNATIONS

REGIONAL, FEDERAL, STATE AND INTERNATIONAL LAND-USE INTRUSIONS *National/American Heritage Areas, UN Biosphere Reserves and UN World Heritage Sites*

Myths

The Designation of National American Heritage Areas is merely honorary and has no regulatory power.

The designation of UN Biosphere Reserves is for research and education only.

The designation of UN World Heritage Sites does not bring foreign influence over land in the United States.

The designations are to promote tourism.

According to United Nations testimony before Congress, local officials are always consulted before Biosphere Reserves are proposed.

Reality

Congressional bills and federal laws for **National or American Heritage Areas** require a contract between the state government regional entity and the U.S. Secretary of Interior to manage the land-use of the region for preservation. This means federal control of zoning, either directly, by the terms of the "management compact," or indirectly, by the use of funds dispensed by preservation agencies to influence zoning under a seductive porkbarrel system, the iron-clad zoning is enforced locally, with home-rule seemingly preserved, but private property owners' rights diminished and locally generated land-use patterns foreclosed.

The preponderance of research (published in specialized journals) about **Biosphere Reserves** is about "restoring" rural areas so that human influence on nature is eliminated. The "international significance" of the designated region is trumpeted by the national environmental groups to lobby for government land acquisition and more "environmental" restrictions on land-use.

Exactly what people feared happened near Yellowstone National Park, which is a **World Heritage Site**. When environmentalists acting in conjunction with the Clinton Administration persuaded UNESCO to declare the park a "World Heritage Site in Danger," United Nations officials flew to the U.S. from Paris to complain about a gold & copper mine that was planned outside the park, but inside an area the environmentalists call "Greater Yellowstone." President Clinton himself then stopped the environmental impact review required under the National Environmental Protection Act (NEPA) from being completed and disapproved the mine based on the UN World Heritage Committee's recommendation.

If the stated purpose of tourism succeeds for the **National Heritage Areas**, of which over 200 are proposed (encompassing much of the West, the entire 2,500-mile Mississippi River and adjacent counties, and most of the land east of the Mississippi), the United States will theoretically become one vast "heritage" tourism complex, to the detriment of productive, less "beautiful" industries, agriculture and forestry. In addition, for **Biosphere Reserves** and **World Heritage Sites** to be successful, areas must be off-limits to hunting, and many roads used by hunters and tourists closed. Tourism is one of the first sectors to suffer from recessions and depressions. Much tourism is both weather-dependent and seasonal, and tourism jobs are predominately low-paid. The only things that are "sustainable" are the views that new restrictions protect. Flexibility to respond economically is lost. Most communities cannot afford to focus a large part of their resources on their past heritage. Communities with sagging economies become run-down and uninviting. Preservation zoning and lack of jobs force ordinary people to move away, whereby wealthier people may move in and gentrify the area without generating a productive local economy.

When state and local elected officials in New York learned from property rights activists about the secret proposal to designate the Catskill Mountains Biosphere Reserve, they were angry, and the application ultimately had to be withdrawn from the U.S. Department of State. **Biosphere Reserve** applications are usually done secretly, and local people and their elected representatives excluded from information.

Over...

Dangers of Designations continued

Myths

UN Biosphere Reserves and World Heritage Sites are approved only after public hearings and Congressional vote.

The Biosphere Reserve and World Heritage Site programs have potentially little impact on government or private property.

UN Biosphere Reserves and World Heritage Site designations present no threat to American sovereignty.

Reality

The U.S. Congress failed to pass the legislation (H.R. 2379) to establish the Biosphere Reserve system when it was proposed in 1983. The World Heritage Convention was ratified by the U.S. Senate in 1973. Working in conjunction with the National Park Service, the Department of State does not consult Congress before designating individual Biosphere Reserves or World Heritage Sites. Neither of these agencies, nor Congress, holds public hearings and no Congressional vote takes place before the UN sites are designated.

There are 47 Biosphere Reserves and 20 World Heritage Sites in the United States. The designations involve not only government, but private property. The largest Biosphere Reserve in the U.S. is the 10-million acre, secretly designated Champlain-Adirondack Biosphere Reserve. Private landowners were not notified and their permission was not granted for the designation, but environmental groups quickly publicized it among their members, who thereupon lobbied for stricter environmental regulations of the private land in the region. Official goals for "core" and "buffer" regions of Biosphere Reserves and for World Heritage Sites are not consistent with the continued population of the regions.

"I think it perfectly understandable that people are concerned that when you set up a program, when you give it a designation, where you as international authorities recognize it, the implication is that down the road when there are conflicts, somebody's going to be leaned on, and the authority for this, at least the moral authority for this, will be an invocation of some very dubious international authority."

- Dr. Jeremy Rabkin, Associate Professor, Cornell University, from testimony before the U.S. House of Representatives, Committee on Resources Sept. 12, 1996, on the American Land Sovereignty Protection Act.



AVAILABLE FROM

THE PROPERTY RIGHTS FOUNDATION OF AMERICA:

National Heritage Areas
(Positions on Property, Jan-Apr 1996)..... \$3.00 p. pd.

The National Park Service, No. 2 - UNESCO Biosphere Reserves
(Positions on Property, Jan-Mar 1995, 12pp. .. \$3.00 p. pd.

The American Heritage Areas
Background Brief, July 1995, 2 pp free

Building & Zoning Codes
(Positions on Property May-Dec. 1996, 32pp) .. \$6.00 p. pd.

Single copies priced as listed. Please enquire for multiple copies.

For up to 10 additional copies of *Dangers of Designations* at no charge, and additional information contact:
The Property Rights Foundation of America, Inc.
P.O. Box 75, Stony Creek, NY 12878 (518) 696-5748

The Property Rights Foundation of America, Inc. is a national, New York-based not-profit organization dedicated to the right to own and use private property guaranteed in the United States Constitution.

The Foundation publishes *Positions on Property* (\$25.⁰⁰ yearly), a quarterly journal of information, analysis and ideas on private property rights, and the *New York Property Rights Clearinghouse* (\$25.⁰⁰ yearly), a quarterly newsletter of current information on property rights across New York and the Northeast.



HJR

17

ALASKA STATE LEGISLATURE HOUSE RESOURCES COMMITTEE

Representative Jay Ramras
Co-Chairman
(907) 465-3004

Fax: (907) 465-2833
Representative_Jay_Ramras@legis.state.ak.us

119 N. Cushman St., Suite 213
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716 W. 4th Avenue
Anchorage, AK 99501

State Capitol, Juneau, Alaska 99801-1182

FAX

Please deliver the following pages to: Don Bullock

Fm: Staff, Resources Committee

Fax #: 2029

Total number of pages including cover: 1

Date: 5/3/05 9:15 AM

Re: CSHJR 17 (RES) 24-LS0847Y

Please finalize the above referenced legislation.

Thanks

Jim

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Thank you

ALASKA STATE LEGISLATURE

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SESSION

Suite 416
State Capitol Building
Juneau, Alaska 99801
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REPRESENTATIVE JIM ELKINS

SPONSOR STATEMENT

House Joint Resolution 17, "Opposing Federal House Resolution 3283 'The Federal Lands Recreation Enhancement Act'," expresses the desire of the Alaska State Legislature.

The Federal Lands Recreation Enhancement Act, also known as the Recreational Access Tax, allows the Forest Service, Bureau Land Management, Fish and Wildlife Service, National Park Service, and Bureau of Reclamation to charge fees for recreational use of federally managed land by the general public. The U.S. House of Representatives never approved H.R. 3283. It was never introduced, never had hearings, and was never approved by the U.S. Senate, but was instead attached to the omnibus-spending bill H.R. 4818 as an appropriations rider. Once H.R. 3283 is enacted, communities all across our state will be gravely affected. Failure to comply with these "access fees" could result in fines, criminal penalties, and possibly jail time!

The federal government is the largest landowner in Alaska, managing over 2/3's of the total acreage. These enclaves include national parks, wildlife refuges, national forests, and other federal property.

If H.R. 3283 is ratified, all of Alaska will be greatly impacted. Approximately 80 million acres of federally owned land has been set aside for public use. The concept of paying fees to use public land is contrary to the idea that public land belongs to the people of the state, and is land where every person is granted access and is welcome. What would happen if the federal government started charging *indefinite* "access fees" to allow admittance? Would we then be expected to pay a fee to walk along one of our beaches, hike a trail surrounding one of our glaciers, or to simply step out into our backyard?

The Montana State Legislature passed a resolution calling on the U.S. Congress to repeal H.R. 3283. The states of Colorado and Oregon also have resolutions in the works opposing this Act. Today, we urge you to consider HJR 17, and call on the U.S. Congress to abolish the Federal Lands Recreation Enhancement Act.

FISCAL NOTE

STATE OF ALASKA
2005 Legislative Session

Fiscal Note Number: 1
 Bill Version: H.J.R. 17
 () Publish Date: 5/4/2005

Revision Date/Time _____ Dept. Affected: N/A
 Title Oppose Federal Rec. Land Use BRU _____
 Component _____
 Sponsor Representative Elkins
 Requester House Resources Committee 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						
Supplies						
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)
 The House Resources Committee has determined that passage of this resolution will have no fiscal impacts.

Prepared by: Jim Pound Phone 465-3004
 Division: for House Resources Date/Time 4/27/05 12:00 AM
 Approved by: Representative Ramras and Samuels Date 4/27/2005
 Agency: Co-Chairs House Resources Committee

SB

25

Alaska State Legislature

Senator Kim Elton
State Capitol, Room 115
Juneau, Alaska 99801-1182
465-4947 phone ♦ 465-2108 fax



Senator Gary Stevens
State Capitol, Room 103
Juneau, Alaska 99801-1182
465-4925 phone ♦ 465-3517 fax

SB 25 Sponsor Statement

"An Act relating to labeling and identification of genetically modified fish and fish products."

Transgenic foods are those in which the genetic structure has been altered at the molecular level by means that are not possible under natural conditions or processes. There has been widespread concern throughout the world over the largely unknown effects of transgenic, or genetically modified (GM) products on human and environmental health.

In an effort to address concerns raised by consumer, environmental, health, and Alaska fish marketing groups, SB 25 requires Alaska retailers to identify and label foods containing fish and shellfish, or fish and shellfish products that have been genetically modified.

The message that Alaska seafood is more natural than seafood that has been engineered or bred is a highly important marketing tool. This bill, by requiring a differentiation between GM and wild seafood helps highlight Alaska seafood as distinct from GM seafood, thereby doing away with any vagueness that may exist to the consumer when purchasing seafood without labeling, and reinforcing the natural message.

Many GM agricultural products are currently allowed on the U.S. market, and an application submitted by an aquaculture company for the use of a GM, growth-enhanced salmon is pending before the Food and Drug Administration's Center For Veterinary Medicine. The Pacific Fisheries Legislative Task Force *Fish Review* dated December 2004 reports that Aqua Bounty, a biotechnology company with offices in the United States and Canada, is planning to ask Canadian authorities for approval to use GM fish in Canada's fish farms.

Currently, legislation in the European Union, Japan, New Zealand, and Australia requires labeling on foods made from, or containing GM products. SB 25 is similar to legislation introduced in other states, such as Oregon and California, and it comes with the unanimous support of the Joint Legislative Salmon Industry Task Force, a committee comprised of legislators, seafood harvesters and seafood processors.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 25
(S) Publish Date: 2/9/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Environmental Conservation
Title: Genetically modified fish RDU: Environmental Health
Component: Food Safety and Sanitation
Sponsor: Senator Ellison
Requester: (S) Labor & Commerce Component No.: 2343

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	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type—Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
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	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Under current federal rules, genetically modified fish and fish products cannot be used or sold in the United States. Under the current FDA rules, this bill will have no fiscal impact on the department. Should the FDA allow the sale and use of genetically modified fish and fish products in the future, increased inspection and compliance resources will be required to comply with the provision of this bill.

Prepared by: Kristin Ryan, Director Phone: (907) 269-7644
Division: Environmental Health Date/Time: 1/28/05 4:04 PM
Approved by: Kurt Fredriksson Date: _____
Agency: Department of Environmental Conservation

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: S8 25
 (S) Publish Date: 2/9/05

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to labeling and identification of RDU CIVIL
genetically modified fish and fish products." Component Environmental
 Sponsor Senator Elton
 Requester Senate Resources Committee 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						
Supplies						
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)

This bill amends the Alaska Food, Drug, and Cosmetic Act, AS 17.20.040 by adding genetically modified fish or fish product to the list of misbranded food, unless conspicuously labeled or identified as such. Legislation at the federal level already prohibits the sale of any genetically modified foods.

Passage of this legislation will have no fiscal impact on the Department of Law.

Prepared by: Kathryn Daughettee, Director Phone 465-3673
 Division Administrative Services Division Date/Time 2/2/05 3:07 PM
 Approved by: Kathryn Daughettee for Gregg D. Renkes, Attorney General Date 2/2/2005
 Agency Department of Law



Alaska Trollers Association

130 Seward St., No. 211
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

April 4, 2005

Representative Tom Anderson, Chair
House Labor & Commerce
Alaska State Legislature
Juneau, AK 99811

Dear Representative Anderson and Committee Members:

ATA supports SB25 and the labeling of genetically modified (GMO) seafood products.

Cold water fish is rich in Omega-3 fatty acids, vitamins and minerals, and eating it is believed to decrease risk of heart disease, cancer, and other ailments. Nationally, the USDA expects Americans to increase their consumption of seafood roughly 30% in coming years, as part of a growing health trend. Many Alaskans are ahead of the curve and we're known for a consumption of salmon and other seafood which exceeds the national average of 15 pounds per year.

Mad cow disease, E Coli, and a host of other food safety issues have captured media attention in recent years. So it just stands to reason that consumers will increasingly want information about where their food comes from, and assurances with regard to its wholesomeness. Specific GMO labeling requirements will accommodate informational needs and provide for public health and well-being.

Fast expansion of the global aquaculture industry has put a great deal more fish on the market. Production is expected to increase even faster if farmers from around the globe are permitted to raise and sell genetically modified fish.

The U.S. Food and Drug Administration (FDA) is now reviewing a petition to allow transgenic Atlantic salmon for commercialization. If approved, the fish could become the first genetically modified animal product on the market for human consumption. This, despite a near total lack of understanding about the human health and ecological effects of the new technology.

SUPPORT LETTERS

In making genetically modified organisms (GMO), scientists change genetic structures to alter select characteristics. For example, a plant may be given a gene that makes it more tolerant to drought, or resistant to an herbicide that kills other species. It might interest you to know that they've even use the gene of a flounder (the fish) to make corn more tolerant to cold weather.

So how big is GMO? Big - and growing.

The United States has about 100 million acres of biotech crops under cultivation and is the largest producer of biotech foods in the world. Over 75 percent of U.S. soybeans and 34 percent of American corn are genetically modified. And, according to a New York Times report in June 2001, nearly all the available seeds for those crops - worldwide - is genetically modified and has been reduced to just a few strains controlled by a handful of companies.

To give you one example of the impact GMO products can have when raised in open spaces, consider Mexico. Despite that country's moratorium on the use of genetically altered corn, scientists in 2001 detected genetically modified DNA in wild maize in the mountains of the state of Oaxaca. Up to 70% of wild Mexican maize now carries transgenes that could only have come from genetically engineered crops. Scientists regularly borrow transgenes from viruses and bacteria, to engineer GMO crops (Nature, Nov. 29, 2001)

Now, through the wonders of technology, scientists have discovered a way to make Atlantic salmon grow twice as fast by inserting genes of other fish species into them. Do you know what the recipe is? Last I heard, a Canadian company named Aqua Bounty was using an Atlantic salmon and inserting the genes of Chinook salmon and Arctic pout. But broad consumer acceptance for this and other GMO food stuffs might not come easy. At least one Canadian province is considering a GMO-free zone. Several countries in the European Union, Africa, South America and elsewhere have banned genetically modified organisms altogether.

With GMO fish, farmers are likely to cut both production time and costs, because genetically modified salmon convert food to energy more efficiently than wild fish. It could mean better profitability for farmers and/or cheaper prices for consumers. Proponents hail the new technology as a way to feed the growing world population.

But there is a raft of questions.

Is this a food product that people want to eat? Will it harm us? Are there hidden costs to the environment and society? How is the public engaged in the

decisions to allow genetically modified foods? Will we be allowed to choose?
How will we know them when we see them in the marketplace?

The prospects get particularly worrisome when one considers some of the crops being engineered in the lab. For a worthy medical goal, a U.S. firm is working on corn that includes an anti-spermidicidal, but what are the consequences if that ever spreads to food crops?

So, what will be added to GMO salmon? Antibiotics, growth hormones, coloring additives, genes to make them undesirable to nuisance pests? We won't know what's in there unless we ask. And without labeling, it's likely we won't ask, because we won't be able to tell GMO salmon from "real" fish at the seafood counter.

Obviously, the issue of genetically modified organisms, or GMO, has deep and far-reaching implications. The environmental issues surrounding the production of GMO salmon in ocean net pens is of significant concern to Alaska fishermen and has been highlighted by ADFG and groups ranging from environmental watchdogs to the National Academy of Scientists (NAS).

But today we are discussing food labeling, so I will set aside the detailed specifics of those issues and leave you with just a few thoughts about why you should consider supporting GMO labeling here in Alaska.

Credible scientists have stated that human health issues associated with GMO foods are unknown. However, the lack of adequate policy and data is often cited, with the following questions and concerns echoed repeatedly in most reports and articles:

1. There could be an enhanced genetic ability of transgenic fish to absorb environmental toxins, such as mercury which causes nerve damage (Paulson, University of Minnesota).
2. Increased risk of unsafe chemical or biologic agents might enter the food chain through genetically modified organisms (National Academy of Science (NAS), Report to the FDA, 2002).
4. Increased risk of allergic reaction due to ingestion of unknown substances (Food and Agriculture Association (FAO) and World Health Organization (WHO), 2001; NAS, 2002).

5. GMO molecules used to enhance a trait, such as growth or disease resistance, could retain bioactivity after consumption (NAS, 2002).
6. Research suggests strong evidence of antibiotic resistance (New Scientist, Jan. 30 1999).
7. Potential generation of "prions", which are disease producing proteins thought to be responsible for Mad Cow Disease (Commoner, Queens College, City University of New York).
8. GMO foods might violate some religious or cultural dietary rules (NAS, 2002).
9. Regulation and enforcement of animal biotechnology is difficult due to a lack of ethical and regulatory framework for addressing issues unique to GMO foods (NAS, 2002).
10. The responsibilities of federal agencies for regulating animal biotechnology and data collection are unclear, and no established regulatory framework exists for the oversight of scientific research and the commercial application of biotechnology. Nor have the technical capacities of the agencies been identified with respect to addressing potential hazards (NAS, 2002).

The list goes on...

The bottom line is that many scientists, consumers, and even some of our trade partners say not enough is known about genetically modified salmon to OK it for human consumption. ATA agrees.

The FDA is the public body charged with evaluating and approving GMO products. Ironically, because drug laws require secrecy to protect the applicant from competition, the public is excluded from the debate. The FDA does not even reveal what products are being considered for approval, so the public knows about GMO Atlantic salmon only because Canadian firm Aqua Bounty announced it was seeking FDA approval to sell this product in the US.

It's fair to say that genetic modification could be beneficial in some cases, through changed nutritional attributes and improved safety of food products. However, the National Academy of Science has stated that this can only be true IF ...*the changed products [are] labeled in order to appeal to targeted consumers and identifiable to those who might have medical or other reasons to avoid such foods.*

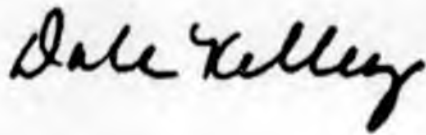
As it stands now, we get more information about what's in a Snicker's bar than what's in farm raised GMO products. Obviously, until recently, most of us didn't even think we needed to ask.

Now we know, and some of us are asking.

I encourage you to support SB 25 and require labeling of all GMO seafood sold in the state.

Thank you for your consideration of this important topic and ATA's point of view. Please feel free to contact me if I can provide additional information or help in any way.

Sincerely,

A handwritten signature in black ink that reads "Dale Kelley". The signature is written in a cursive, slightly slanted style.

Dale Kelley
Executive Director