

INVESTING IN ALASKANS



Alaska and the Right to Develop Resources on State Lands

RDC

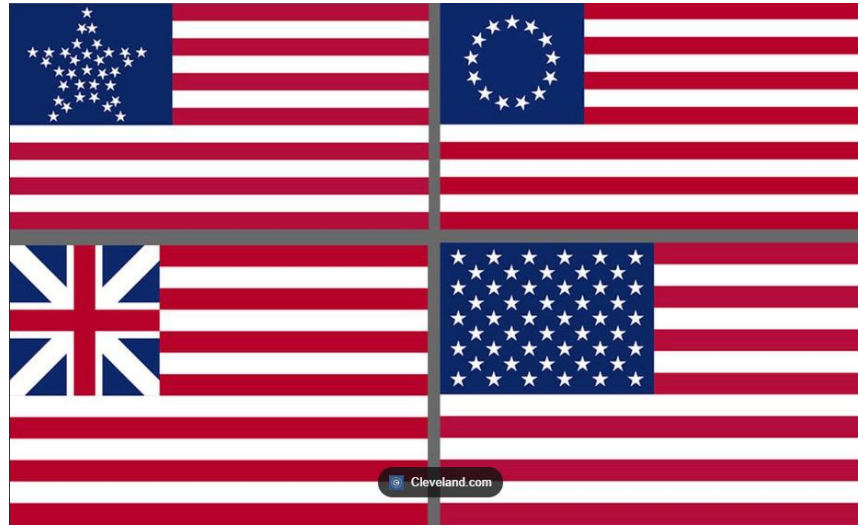
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www.aidea.org

Becoming a State in the U.S.

- How are new states admitted to the Union?
- What are a state's property rights or “statehood lands” when they become a state?



The federal government can admit new states as a matter of contract law. This means there must be an “offer” for statehood by Congress through passage of a bill. That “offer” must then be “accepted”, that is, voluntarily agreed to in a vote by the citizens of the new state.

Sovereign, Political, and Property Rights

- In addition to the power to admit new states as a matter of a contract with the citizens of a new state, certain terms must be offered to the new state. These certain sovereign, political, and property rights include:



1. Guarantee a minimum “floor” of state sovereign, individual, and political rights; and
2. Rights to own a minimum amount of submerged lands and minerals under navigable waters

U.S. Constitution Property Clause

- Under the Property Clause of the US Constitution, Congress can always choose to offer more land rights to citizens of a new state than a previous state got.
- It is completely up to Congress to make the offer of land rights for statehood, and the choice of residents of the new state whether to vote and accept it.



#45	Utah	January 4, 1896	6.3 million acres of statehood land
#46	Oklahoma	November 16, 1907	3.5 million acres of statehood land
#47	New Mexico	January 6, 1912	9 million acres of statehood land
#48	Arizona	February 14, 1912	10.9 million acres of statehood land
#49	Alaska	January 3, 1959	104.3 million acres of statehood land
#50	Hawaii	August 21, 1959	1.8 million acres of ceded land

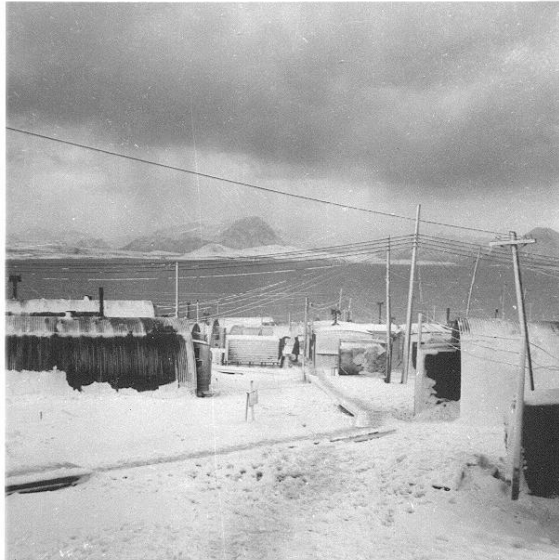
Statehood Is More Than a Promise – It's an Unbreakable Contract

- These legal principles of “contract” are important because the federal government is held to its word in contracts just like citizens.
- So a statehood act promise or grant of property rights to a new state is locked in.
- It is not like ordinary legislation. It cannot be arbitrarily changed later.



Alaska Prior to 1958

- What was happening in Alaska before 1958 to build the economy (prior to Congress passing the statehood bill)?
 - Nothing! That was the problem.
- Federal agencies and bureaucrats owned 98% of Alaska, had withdrawn nearly 33% from any use, and were completely failing the people of Alaska and the nation in terms of resource development and growth, and the ability of Alaska to sustain itself.



How Did Alaska Address the Issue?



1. Make sure we got title and control over as much land and resources in Alaska as Congress would give us.
2. Passed a Constitution in 1955 that would become part of state law if, when, became a state
 - A. Article VIII
 - Policy of state will be the development of resources
 - Legislature will control terms of development on state lands
3. Alaska Constitution is already on the table in front of Congress as part of any statehood act they pass for Alaska
 - A. 6(i) Provisions:
 - When it comes to state lands, state law applies and Feds will get out of way of the State. State has the right to “prospect for, mine, and remove” minerals from statehood lands. No other state in the nation has this language.
 - Right of access across federal and other lands. To get to minerals on state lands, and remove them.

Alaska Statehood Rights – Section 6(i)

Statehood Act – Section 6(i) Alaska Constitution – Article 8

The rights offered by Congress to Alaskans for statehood included:

1. The right to select and receive ownership title to approximately 30% of the state (102.5 million acres) as “statehood lands”
2. Ownership of all minerals, oil, and gas beneath statehood lands
3. A right of access across federal and other lands to “prospect for, mine, and remove” state-owned minerals on state land
4. The right to manage and decide whether resources should be developed on state lands according to laws passed by the Alaska Legislature and the Alaska Constitution
5. Title to submerged lands and minerals beneath navigable waters

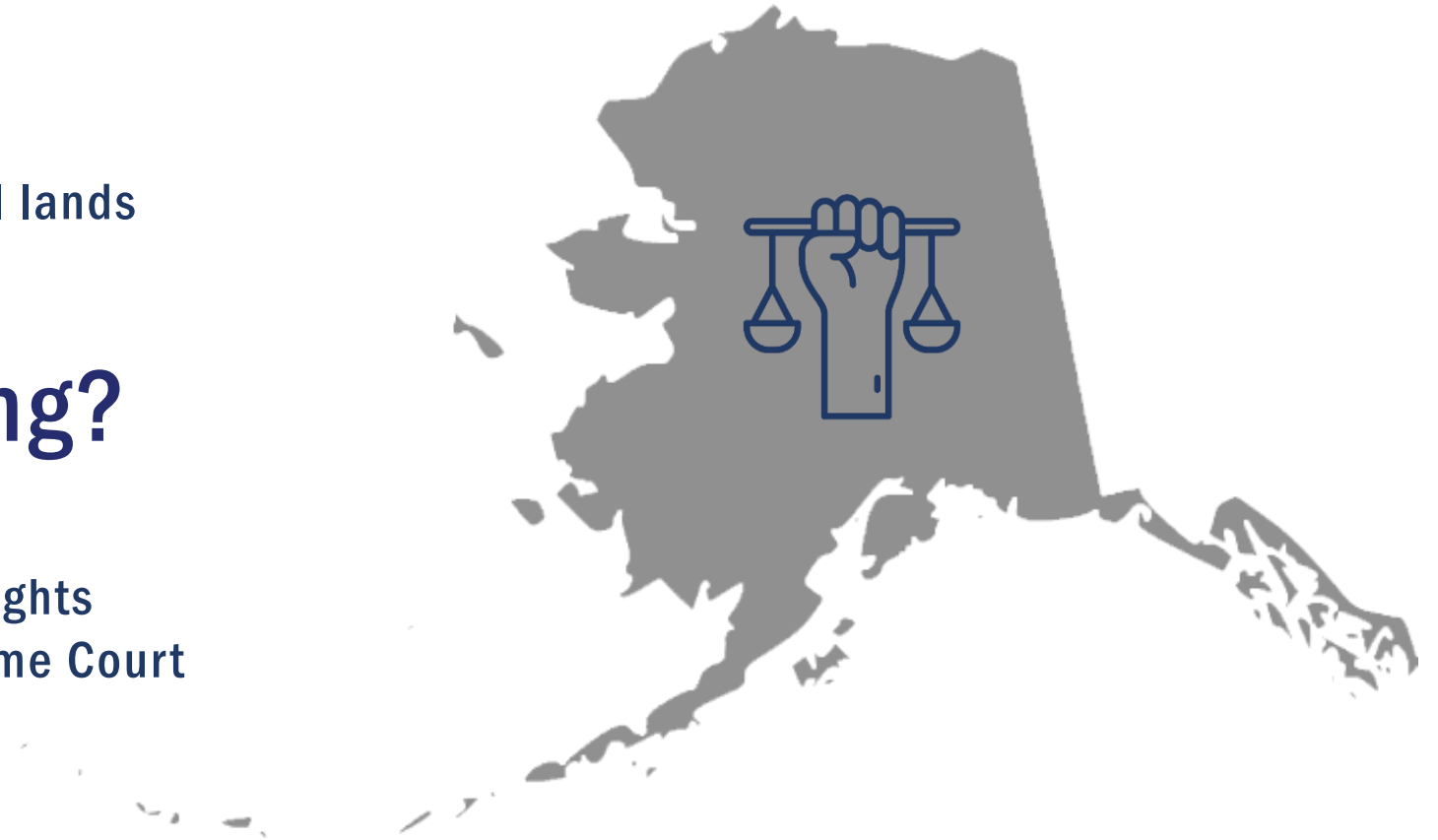


How Have We Done?

- We didn't fight hard.
- Not as good as Utah!
 - Cotter case – Public school lands

What is AIDEA Doing?

- Every opportunity to claim our rights
- Asserted it before the US Supreme Court



How Can You Help?



www.aidea.org

Join us on social media!

Two Opportunities!

1. ANWR

Comment Deadline:
November 7, 2023

Online:
<https://bit.ly/AIDEAAK>



2. Ambler Access Project

Comment Deadline:
December 19, 2023
www.pathtooportunity.org

3. Talk to us about joining the fight!



THANK YOU

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