

106TH CONGRESS  
1ST SESSION

# H. R. 3183

To provide grants to the State of Alaska for the purpose of assisting that State in fulfilling its responsibilities under sections 803, 804, and 805 of the Alaska National Interest Lands Conservation Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 1999

Mr. YOUNG introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To provide grants to the State of Alaska for the purpose of assisting that State in fulfilling its responsibilities under sections 803, 804, and 805 of the Alaska National Interest Lands Conservation Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CERTIFICATION; GRANTS.**

4       (a) CERTIFICATION.—Upon the request of the Gov-  
5       ernor of Alaska, the Secretary of the Interior shall  
6       promptly certify to the President of the Senate and the  
7       Speaker of the House of Representatives that a bill or res-  
8       olution has been passed by the Alaska State Legislature

1 which, if approved by the electorate, would amend the  
2 Constitution of the State of Alaska to enable the imple-  
3 mentation of State laws of general applicability consistent  
4 with, and which provide for, the definition, preference, and  
5 participation specified in sections 803, 804, and 805 of  
6 the Alaska National Interest Lands Conservation Act  
7 (hereinafter referred to as “ANILCA”) (16 U.S.C. 3113,  
8 3114, and 3115, respectively).

9 (b) GRANTS.—If the Secretary of the Interior makes  
10 a certification pursuant to subsection (a), grants of all un-  
11 obligated funds provided for activities under title VIII of  
12 ANILCA shall be made to the State of Alaska for the pur-  
13 pose of assisting the State in fulfilling its responsibilities  
14 under sections 803, 804, and 805 of that title.

15 **SEC. 2. RESTRICTION ON FEDERAL ACTION.**

16 (a) IN GENERAL.—Notwithstanding any other provi-  
17 sion of law and in accordance with subsection (b), no final  
18 or interim rule, regulation, or policy issued pursuant to  
19 title VIII of ANILCA to manage or to assert jurisdiction,  
20 authority, or control over land, water, and wild, renewable  
21 resources (including fish and wildlife) in Alaska for sub-  
22 sistence uses, may be implemented or enforced except  
23 within areas which—

1           (1) were subject to Federal management for  
2           subsistence uses pursuant to that title as of October  
3           1, 1998;

4           (2) are listed in section 100.3(b) of title 50,  
5           Code of Federal Regulations, as published on Octo-  
6           ber 1, 1998; and

7           (3) constitute “public land or public lands”, as  
8           such term is defined in section 100.4 of title 50,  
9           Code of Federal Regulations, as published on Octo-  
10          ber 1, 1998.

11          (b) EFFECTIVE DATE.—Subsection (a) shall go into  
12          effect on the date that the Secretary of the Interior makes  
13          a certification pursuant to section 1(a), and shall remain  
14          in effect unless—

15               (1) the amendment to the Constitution of the  
16               State of Alaska to enable the implementation of  
17               State laws of general applicability consistent with,  
18               and which provide for, the definition, preference, and  
19               participation specified in sections 803, 804, and 805  
20               of the ANILCA upon which such certification pursu-  
21               ant to section 1(a) was based is not approved by the  
22               electorate at the earliest date permitted under State  
23               law; or

24               (2) State laws of general applicability consistent  
25               with, and which provide for, the definition, pref-

1       erence, and participation specified in sections 803,  
2       804, and 805 of ANILCA do not take effect by the  
3       end of the first regular session of the Alaska Legis-  
4       lature following the date on which such a  
5       consitutional amendment is approved by the elec-  
6       torate.

7   **SEC. 3. LOCAL HIRING AND PARTICIPATION.**

8       When undertaking activities pursuant to title VIII of  
9   ANILCA—

10           (1) section 1308 of that Act shall be imple-  
11       mented;

12           (2) the participation of and consult with the  
13       State of Alaska, Native Corporations established  
14       under the Alaska Native Claims Settlement Act, and  
15       other Alaska Native entities shall be encouraged in  
16       developing the implementation plan for activities  
17       under title VIII of ANILCA; and

18           (3) where practicable, State, Native Corpora-  
19       tions, and entities shall be contracted with to pro-  
20       vide these activities.

1 **SEC. 4. CLAIM TO TIDAL OR SUBMERGED LANDS NOT AF-**  
2 **FFECTED.**

3       Nothing in this Act invalidates, validates, or in any  
4 other way affects any claim of the State of Alaska to title  
5 to any tidal or submerged land in Alaska.

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