

Senate extends submerged lands statute

WASHINGTON, D.C. — By unanimous consent the U.S. Senate has agreed to extend the statute of limitations on submerged lands for one year in order to avoid needless lawsuits between State of Alaska and the state's Native corporations, according to Senator Frank Murkowski.

Murkowski said the extension would also allow more time for Congress to act on a long-term solution to the submerged lands problem.

The senator said when the five-year statute of limitations expired in

December, 1985 the state of Alaska was required to file lawsuits against Native corporations under the submerged lands provision in the Alaska National Interest Land Claims Act (ANILCA). This provision determines the navigability of Alaska's rivers, lakes and streams.

Murkowski has sponsored legislation, now pending in the Senate Energy and Natural Resources Committee, which would develop a comprehensive solution to the problem.

"This extension would not replace

action on my legislation in the Energy committee, but would simply provide more time to work on the legislation," he said. "We are determined to completely resolve this issue."

"The state has already filed one suit," Murkowski said. "But since the statute of limitations was extended, many additional, unnecessary lawsuits have been avoided."

Under Murkowski's legislation, the statute of limitations would be repealed. His bill would also instruct the Bureau of Land Management (BLM)

to use the same survey and conveyance guidelines in Alaska that are currently being used in other states. Since 1983, the Department of Interior has been applying these guidelines as found in Murkowski's bill.

In a related matter, Murkowski said a lawsuit was filed by the Wilderness Society against the Department of the Interior challenging its use of the BLM survey manual in entitlement. The court ruled in favor of the Department which will now require the BLM survey manual to be used in Alaska.

"It simply isn't fair to treat Alaska differently than the other 49 states in this regard," Murkowski said.