

Alaska State Legislature

SESSION ADDRESS:

Alaska State Capitol
Juneau Alaska 99801
Phone: 907-465-3743
1-800-565-3743
Fax: 907-465-2381



INTERIM ADDRESS:

600 E Railroad Avenue
Wasilla AK 99654
Phone: 907-376-3725
Fax: 907-376-4768

Representative Carl Gatto

Explanation of Changes from HB 88, version M To CSHB 88 (STA) version I

There were several questions asked at the first hearing in HSTA Committee regarding how HB 88 will affect corporations, partnerships, or other business associations. In addition, a legal opinion from the Department of Law indicated that "*HB 88 might affect a foreign entity's willingness to do business ...in Alaska...*"

Therefore, a change to Page 2, Line 26 adds

(g) This section shall not apply to a corporation, partnership, or other form of business association.

There are several states with similar legislation and this amendment has been inserted in those bills as well.

In addition, there were concerns if HB 88 affected family matters involving tribes in Alaska. The Department of Law legal opinion states that although family matters should not be affected, "*...in limited circumstances, tribal members may be subject to the concurrent jurisdiction of the tribal courts and the state courts. ... Tribes have the concurrent authority to initiate cases regarding children's proceedings or custody proceedings involving native children.*"

To alleviate questions about tribal law under this Act, a change to Page 2, Line 25 adds

After 'States.' For the purposes of this act, foreign law shall not mean, nor shall it include, any laws of the Alaska Native or American Native tribes in the state of Alaska.

Karen Sawyer
March 23, 2011