

LEGAL SERVICES

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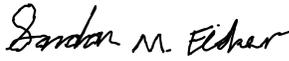
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 25, 2021

SUBJECT: State recognition of tribes
(HB 123; Work Order No. 32-LS0438\A)

TO: Representative Tiffany Zulkosky
Attn: Logan Basner

FROM: Sandon M. Fisher
Legislative Counsel 

You asked whether HB 123, if enacted, would alter the legal relationship between the state and tribes. It is my opinion that the bill will not have any legal impact on the relationship between the state and tribes.

As explained in a January 28, 2021, memorandum (attached for your review) that accompanied this bill, the bill includes a statutory requirement that the state recognize federally recognized tribes, but codifying this requirement does not change the status of tribes. This is because both the United States Supreme Court and the Alaska Supreme Court have already held that federally recognized tribes are sovereign entities with which the state government must operate a government-to-government relationship. This bill, if enacted into law, will not change that legal relationship.

If you have additional questions or I may be of further assistance, please advise.

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Attachment