

House Joint Resolution 22

- Proposing an amendment to the Constitution of the State of Alaska relating to subsistence use of replenishable natural resources by state residents; and providing for an effective date for the amendment.

History

- 1867 Alaska is Purchased from Russia
- 1959 Alaska becomes the 49th State
- 1971 Alaska Native Claims Settlement Act (ANCSA)
- 1980 Alaska National Interests Lands Act (ANILCA)
 - Alaska assumes responsibility for F&G on both Federal and State lands
- 1989 *McDowell v. State of Alaska* Decision
- 1990 Federal Government assumes responsibility for Wildlife management on Federal lands

Conflicts

- Currently ANILCA, Sec VIII, violates the Alaska State Constitution Sec 3 (Common Use Clause), Sec 13 (No specific right to fisheries clause) and Sec 17 (Equal applicability clause)
- Federally qualified subsistence users are permanent residents of a rural area or community that has a Federally recognized customary and traditional use determination for that resource.
- Not all qualified users reside near the resource.
- Disagreement between State and Federal Land Managers on need for closure
- Wildlife do not adhere to state and federal area/lines
- *Sturgeon v. Frost*

Solution

- HJR 22 brings Alaska into compliance with ANILCA.*
- In times of low resources, that being fish and game, preference is given to those closest to the resources.
- Elimination of Dual management allows those Alaskans to manage Alaska's sustainable fish & wildlife resources.
- Those making decisions can be held accountable by Alaskans
- This resolution, if passed in both legislative bodies, would go before the voters in the next general election (2026).

Conclusion

- Questions?
- We can meet with individual Legislators and their offices upon request.