

HOUSE JOINT RESOLUTION NO. 101 am(fld H)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SPECIAL SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Amended: 5/28/98

Introduced: 5/26/98

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska authorizing a**
2 **priority for subsistence uses of renewable natural resources that is based on place**
3 **of residence and providing for the repeal of that authorization; and providing for**
4 **an effective date.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** Article VIII, Constitution of the State of Alaska, is amended by adding a new
7 section to read:

8 **Section 19. Subsistence.** The legislature may, consistent with the sustained
9 yield principle, provide a priority for subsistence uses in the taking of fish and wildlife
10 and other renewable natural resources based on place of residence.

11 * **Sec. 2.** Article XV, Constitution of the State of Alaska, is amended by adding a new
12 section to read:

13 **Section 29. Repeal of Amendment.** The 1998 amendment regarding
14 subsistence (art. VIII, sec. 19) is repealed 180 days after the date of a final non-

1 appealable judgment or order by a federal court deciding that the rural subsistence
2 priority in 16 U.S.C. 3114 (sec. 804, Alaska National Interest Lands Conservation Act,
3 P.L. 96-487, as amended by P.L. 105-83) violates the United States Constitution. In
4 this section, “final, non-appealable judgment or order” means a judgment or order that
5 cannot be appealed because all possible appeals, including a petition for certiorari to
6 the United States Supreme Court, have been taken or the time for taking an appeal has
7 expired without appeal.

8 * **Sec. 3.** The amendments proposed by this resolution shall be placed before the voters of
9 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
10 State of Alaska, and the election laws of the state.

11 * **Sec. 4.** If adopted by the voters at the next general election, the amendments proposed
12 by this resolution take effect immediately upon certification of the election returns by the
13 lieutenant governor.