

1 IN THE HOUSE

BY MR. HARRIS

2 HOUSE JOINT MEMORIAL NO. 58

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 TO THE HONORABLE E. L. BARTLETT AND THE HONORABLE ERNEST GRUENING,
6 SENATORS FROM ALASKA AND THE HONORABLE RALPH J. RIVERS, REPRESENTATIVE FROM ALASKA:

8 Your Memorialist, the Legislature of the State of Alaska in
9 First Legislature, Second Session assembled respectfully submits
10 that:

11 WHEREAS, it is a well established fact that the people of
12 Alaska deeply and sincerely desire the abolition of the use of
13 fish traps in any of the waters of Alaska; and

14 WHEREAS, the Legislature of the State of Alaska has consistently urged that the Secretary of the Interior discourage through rule and regulation the operation of fish traps by the villages of Kake, Angoon and Metlakatla; and

18 WHEREAS, the operation of traps by these three villages results in discrimination between the races and preferential treatment for federal Indian corporations as opposed to all other fishermen in the state; and

22 WHEREAS, Sec. 4 of the Alaska Statehood Act, Public Law 85-508 states in part that the state disclaims all rights and/or title to any lands or other property, including fishing rights, which may be held by any natives; and

26 WHEREAS, the Department of the Interior, upon legal counsel, has interpreted this section to mean that the villages of Kake, Angoon and Metlakatla cannot be directed by the Department to cease the operation of fish traps; and

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WHEREAS, it would thereby seem evident that the only alternative is to seek an appropriate amendment to the statehood act that would serve to clarify the matter of fishing rights of native people; and

WHEREAS, it is the desire of the Legislature of the State of Alaska to make the will of the people manifest as regards fish traps but not to endanger the rights of the native people to their historical fishing rights by other methods;

NOW THEREFORE, Your Memorialist respectfully urges that legislation be introduced into the Congress of the United States that would amend the statehood act in such a way as to exclude fish trap operation from the native fishing rights protected by compact between the State of Alaska and the United States.