

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE HOUSE

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HOUSE JOINT RESOLUTION NO. 97

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - FIRST SPECIAL SESSION

5

Proposing amendments to the Constitution

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of the State of Alaska relating to

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subsistence uses of fish and wildlife by

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rural residents in order to retain

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management of those resources by the

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State of Alaska; and providing for an

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effective date.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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

15 SECTION 19. SUBSISTENCE USES OF FISH AND WILDLIFE. Consistent  
16 with the sustained yield principle, the legislature may grant a pref-  
17 erence in the taking of fish and wildlife and other renewable natural  
18 resources for subsistence uses by residents of rural areas and, when  
19 necessary to assure sustained yield or to protect subsistence uses,  
20 may allocate those resources on the bases of customary and direct  
21 dependence, local residence, and the availability of alternative  
22 resources.

23 \* Sec. 2. In addition to authorizing the legislature to enact laws  
24 granting a preference for subsistence uses, the amendment proposed in sec.  
25 1 of this resolution (1) validates, ratifies, and reinstates state subsis-  
26 tence laws, including the provisions of ch. 52, SLA 1986, that are  
27 consistent with federal laws relating to subsistence uses, and (2) enables  
28 the state to retain management of fish and wildlife on federal land.

29 \* Sec. 3. Article XV, Constitution of the State of Alaska is amended

1 by adding a new section to read:

2           SECTION 29. EFFECTIVE DATE AND RECONSIDERATION OF SUBSISTENCE  
3 AMENDMENT. (a) Section 19 of Article VIII, regarding a subsistence  
4 preference, takes effect immediately upon certification of the  
5 election returns by the lieutenant governor.

6           (b) The lieutenant governor shall place the following  
7 proposition on the ballot at the general election in 1994: "Shall  
8 Section 19 of Article VIII of the Alaska Constitution, regarding  
9 subsistence, be retained?" If a majority of the votes is in the  
10 negative, that section is repealed.

11       \* Sec. 4. The amendments proposed in secs. 1 and 3 of this resolution,  
12 and the effect of the amendment proposed in sec. 1 of this resolution, as  
13 set out in sec. 2 of this resolution, shall be placed before the voters of  
14 the state as one ballot proposition at the next general election in con-  
15 formity with art. XIII, sec. 1, Constitution of the State of Alaska, and  
16 the election laws of the state.