

Amended: 6/28/90  
Offered: 6/26/90  
Referred: Rules

go065srD

Original sponsor(s): Rules/Governor

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 CS FOR SENATE JOINT RESOLUTION NO. 86 (Resources) am  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - FIRST SPECIAL SESSION

5 Proposing amendments to the Constitution  
6 of the State of Alaska relating to  
7 subsistence uses of fish and wildlife by  
8 Alaska residents in order to retain  
9 management of those resources by the  
10 State of Alaska; and providing for an  
11 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 to and among Alaska residents in the taking of fish and game  
18 for subsistence uses on the basis of community or area characteris-  
19 tics, geography, customary and traditional use, direct dependence,  
20 local residence, or the availability of alternative resources.

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

28 \* Sec. 3. Article XV, Constitution of the State of Alaska, is amended  
29 by adding a new section to read:

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

5           (b) The lieutenant governor shall place the following propo-  
6 sition on the ballot at the general election in 1992: "Shall Section  
7 19 of Article VIII of the Alaska Constitution, regarding subsistence,  
8 be retained?" If a majority of the votes is in the negative, that  
9 section is repealed.

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