

HOUSE JOINT RESOLUTION NO. 77

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE MACLEAN

Introduced: 2/18/92

Referred: Resources, Judiciary, Finance

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska relating to subsistence**
2 **use of fish and wildlife by residents and establishing an effective date for the amendment."**

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

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

6 **SECTION 19. SUBSISTENCE USE OF FISH AND WILDLIFE.** Subsistence use shall
7 be the priority beneficial use of fish and wildlife resources belonging to the State. Consistent
8 with the sustained yield principle, the legislature may grant a preference to and among residents
9 in the taking of fish and wildlife for subsistence uses on the basis of rural residency, community
10 or area characteristics, geography, customary and traditional use, direct dependence, local
11 residence, or the availability of alternative resources.

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

14 **SECTION 29. EFFECTIVE DATE OF SUBSISTENCE AMENDMENT.** Section 19 of
15 Article VIII, regarding subsistence use of fish and wildlife, takes effect immediately upon
16 certification of the election returns by the lieutenant governor.

17 *** Sec. 3.** In addition to authorizing the legislature to enact laws granting a preference for subsistence

1 uses, the amendment proposed in sec. 1 of this resolution enables the state to regain management of fish
2 and wildlife on federal land and validates, ratifies, and reinstates state subsistence laws, including the
3 provisions of ch. 52, SLA 1986, that are consistent with federal laws relating to subsistence uses.

4 * Sec. 4. The amendments proposed in secs. 1 and 2 of this resolution, and the effect of the
5 amendment proposed in sec. 1 of this resolution, as set out in sec. 3 of this resolution, shall be placed
6 before the voters of the state as one ballot proposition at the next general election in conformity with
7 art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws of the state.