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5/2/85

STATE OF ALASKA
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JUNEAU, ALASKA 99811
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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Rules 5-2-85 8:36am

CALL THE MEETING TO ORDER:

HOUSE RULES STANDING COMMITTEE
T H U R S D A Y, M A Y 2, 1985
T I M E

INDICATE MEMBERS PRESENT AND ABSENT:

Cmte. Members: Chairman M.W. Miller
Speaker Grussendorf
Rep. Fuller
Rep. Martin
Rep. Davis
Rep. Pignalberi
Rep. [unclear]

SCHEDULED ON THE COMMITTEE CALENDAR TODAY ARE:

HB 21 - "An Act relating to homesites for veterans."
(by Rep. Goll)

HCR 31 - Proposing an amendment to the Uniform Rules of the Alaska State legislature to include the Pledge of Allegiance as part of the daily order of business.
(by the Rules Committee)

HCR 26 - Proposing amendments to Rule 23 of the Uniform Rules of the Alaska State Legislature relating to committee meetings; and providing for an effective date.
(by the Rules Committee)

(Continued from April 30th)

HB 237 - "An Act relating to pension reform; and providing for an effective date."
(Rules Committee by Request of the Governor)

The first item on today's agenda is the Proposed CS HB 21(RULES) "An Act relating to homesites for veterans."

- ADOPT CSHB 21(RULES) for purposes of discussion.

CSHB 21(RULES) makes one change to CSHB 21(FINANCE). In looking at the Rules CS, on Page 1, line 18 after the word "States", the phrase, "WHO HAS AT ANY TIME RESIDED CONTINUOUSLY FOR AT LEAST ONE YEAR IN THE STATE AND" ----- HAS BEEN DELETED.

Included in the packets today is a memo from Randall J. Moen, Legislative Counsel regarding the constitutionality of exemption for one year resident veterans from certain costs under the homesite entry program. NOTE: RANDAL MOEN IS HERE IF YOU WOULD LIKE TO HAVE HIM EXPLAIN WHY THIS PROVISION WAS DELETED FROM THE FINANCE VERSION.

DISCUSSION

MOVE CSHB 21(RULES) FROM COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS.

The second item on today's agenda is HCR 31 - Proposing an amendment to the Uniform Rules of the Alaska State legislature to include the Pledge of Allegiance as part of the daily order of business.

Move to adopt HCR 31 for purposes of discussion.

Move HCR 31 from the Rules Committee with individual recommendations.

Amendment No 2 passed when amended to HCR 26 on the House floor. We have rolled this amend into HCR 31

The third item on today's agenda is the proposed "2nd CS HCR 26(RULES) - Proposing amendments to Rule 23 of the Uniform Rules of the Alaska State Legislature relating to committee meetings; and providing for an effective date."

Request motion to Adopt 2nd CS HCR 26(RULES) FOR PURPOSES OF DISCUSSION.

The 2nd CS makes two changes to CS HCR 26(RULES).

*On Page 1, line 20, after the word "Office" the phrase or Legislative Teleconference Center HAS BEEN ADDED.

*Page 1, line 21, the word "FULL-TIME" has been deleted.

FURTHER DISCUSSION?

Request motion to move 2nd CS HCR 26(RULES) FROM COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS.

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The fourth item on today's agenda is the proposed CSHB 237(RULES) - "An Act relating to pension reform; and providing for an effective date."

Request motion to adopt CSHB 237(RULES) for purposes of discussion.

Included in your folder is a revised CS. TERRY CRAMER, LEGISLATIVE AFFAIRS ATTORNEY IS HERE TO GO OVER CHANGES MADE TO THE NEW VERSION OF CSHB 237(RULES)

- VIRGINIA RAGLE, A.G'S OFFICE MAY BE HERE - KEN HUMPHREYS, DIRECTOR, DIVISION OF RETIREMENT WILL MAY BE HERE.

Request a motion to move CSHB 237(RULES) from committee with individual recommendations.



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-3764
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HOUSE RULES STANDING COMMITTEE
T H U R S D A Y, M A Y 2, 1 9 8 5

- HB 21 - "An Act relating to homesites for veterans."
(by Rep. Goll)
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(by the Rules Committee)
- HCR 26 - Proposing amendments to Rule 23 of the Uniform Rules of the Alaska State Legislature relating to committee meetings; and providing for an effective date."
(by the Rules Committee)
- (continued from April 30th Rules Meeting:)
- HB 237 - "An Act relating to pension reform; and providing for an effective date."
(Rules Committee by Request of the Governor)

110-220 letter to Tatant

Letter of Intent for CSHB 288 (Jud)
an act relating to the taking of fish and game for subsistence and
personal use
by the House Rules Committee
5/2/85

The purpose of this bill is to authorize the Alaska Board of Fisheries and the Alaska Board of Game to adopt regulations identifying "subsistence uses" of fish stocks and game populations as the boards did from May 30, 1982 until February 22, 1985.

Pursuant to this bill the boards will limit the identification of "subsistence uses" of fish stocks and game populations to the taking of such stocks and populations by Alaska residents who are domiciled in rural communities and rural areas in which the taking of fish stocks or game populations for personal or family consumption is a significant characteristic of the economy of the community or area, as determined by the boards.

This limitation of the definition of "subsistence uses" recognizes that Alaska is unique, and unlike any of the other forty-nine states, the economy of many rural communities and rural areas in Alaska is significantly dependent upon participation by the residents of these communities in the taking of fish stocks and game populations for personal or family consumption. Further, the Legislature finds that the general health and welfare of these citizens is significantly tied to their participation in these activities.

The boards will be authorized to adopt regulations for identifying customary and traditional uses by Alaska residents of those rural communities and rural areas. It is the intent of the Legislature to preserve the approach to implementing the state's subsistence law embodied in 5 AAC 99.010, (as adopted by the Joint Boards of Fisheries and Game on May 30, 1982), for identifying subsistence uses on a community or area basis.

The Legislature finds that implementing the subsistence law is consistent with the intent of the definition of subsistence hunting and fishing and personal use fishing contained in House Bill 288 when criteria such as those outlined below are used to identify customary and traditional uses of the resource:

- (1) a long-term, consistent pattern of use, excluding interruption by circumstances beyond the user's control such as regulatory prohibitions;
- (2) a use pattern recurring in specific seasons of each year;
- (3) a use pattern consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost, and conditioned by local circumstances;
- (4) the consistent harvest and use of fish or game which is near, or reasonably accessible from, the user's residence;

Letter of Intent for CSHB 288 (Jud)
by the House Rules Committee (Continued)

(5) the means of handling, preparing, preserving, and storing fish or game which has been traditionally used by past generations, but not excluding recent technological advances where appropriate;

(6) a use pattern which includes the handing down of knowledge of fishing or hunting skills, values and lore from generation to generation;

(7) a use pattern in which the hunting or fishing effort or the products of that effort are distributed or shared among others within a definable community of persons, including customary trade, barter, sharing, and gift-giving; customary trade may include limited exchanges for cash, but does not include significant commercial enterprises; a community may include specific villages or towns, with a historical preponderance of subsistence users, and encompasses individuals, families, or groups who in fact meet the criteria described in this subsection; and

(8) a use pattern which includes reliance for subsistence purposes upon a wide diversity of the fish and game resources of an area, and which provides substantial economic, cultural, social, and nutritional elements of the subsistence user's life.

This legislation establishes that the commercial sale of fish and game taken for personal or family consumption is prohibited, but does not preclude the sale of handicraft articles made from the non-edible by products taken for such uses. Accordingly, the Legislature intends that barter, sharing and customary trade of fish or game taken for personal or family consumption be of a non-commercial nature. This restriction however, does not apply to the existing limited sale of animal furs by subsistence users of the resource.

The bill also establishes a statutory definition of "personal use fishing." Although sport, commercial and personal use fishing are not afforded a statutory priority over each other, the inclusion of a definition of "personal use" is to indicate that the intent of the Legislature is to delegate to the Alaska Board of Fisheries adequate regulatory authority to provide all persons engaged in sport, commercial, and personal use fishing a reasonable opportunity to participate in the harvest of Alaska's fish stocks.

The Legislature recognizes that personal use of fish and wildlife is a valuable part of Alaskan life. Therefore, it is the intent of the Legislature that the Board of Fisheries provides fairly and adequately for these personal uses. For example, the Board must provide a fair and adequate allocation for the fishery at Chitina, on the Copper River, in which Fairbanks residents and other Alaskans participate using dipnets and fishwheels to harvest salmon for personal use.

Letter of Intent for CSHB 288 (Jud)
by the House Rules Committee (Continued)

Mike W. Miller, Chairman
House Rules Committee
5/2/85

