

H B

599

HOUSE COMMITTEE REPORT

(9)

Date Referred: June 26, 1990

FURTHER REFERRALS:

Date of Committee Action: 6/26/90

The RESOURCES Committee considered:

SSHB 599

SS HOUSE BILL NO. 599

"An Act relating to subsistence uses of fish and wildlife and creating the Subsistence Review Commission; and providing for an effective date."

RECOMMENDATIONS:

- be replaced with CS SSHB 599 the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) 6/26/ Gov's ofc
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

FURNACE

(Check approp. column)

Do Not Pass No Rec Amend

Cliff Davidson DAVIDSON
Richard Foster FOSTER
Jacko JACKO
MAVARRE MAVARRE
HUDSON HUDSON
DAVIS DAVIS
MENARD MENARD

	FURNACE	Do Not Pass	No Rec	Amend
<u>Cliff Davidson</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Richard Foster</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Jacko</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>MAVARRE</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>HUDSON</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>DAVIS</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>MENARD</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Cliff Davidson

Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Subsistence Commission
Sponsor: _____
Requestor: _____

Agency Affected: Dept. of Fish and Game
BRU: Subsistence
Components: Subsistence

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	60,000	60,000	30,000	0	0	0
CONTRACTUAL	10,000	10,000	5,000	0	0	0
SUPPLIES	2,000	2,000	1,000	0	0	0
EQUIPMENT	5,000	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	77,000	72,000	36,000	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	77,000	72,000	36,000			
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	0	0	0			
PART-TIME	0	0	0			
TEMPORARY	0	0	0			

ANALYSIS : (Attach a separate page if necessary)

9 members
12 meeting days a year at \$5,000 per day for travel and per diem.
Staff provided by AK Dept. of Fish and Game and Dept. of Law.

Prepared by: Steve Behnke Phone: 465-4147
Division: Subsistence Date: June 22, 1990
Approved by Commissioner: [Signature] Date: 6/22/90
Agency: _____

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Subsistence
Sponsor: _____
Requestor: _____

Agency Affected: Dept. of Fish and Game
BRU: Subsistence
Components: Subsistence

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	-0-	-0-	-0-			
TRAVEL	-0-	60.0	30.0			
CONTRACTUAL	-0-	10.0	5.0			
SUPPLIES	-0-	2.0	1.0			
EQUIPMENT	-0-	-0-	-0-			
LAND & STRUCTURES	-0-	-0-	-0-			
GRANTS, CLAIMS	-0-	-0-	-0-			
MISCELLANEOUS	-0-	-0-	-0-			
TOTAL OPERATING	-0-	72.0	36.0			

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	72.0	36.0			
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	72.0	36.0			

POSITIONS:

FULL-TIME	0	0	0			
PART-TIME	0	0	0			
TEMPORARY	0	0	0			

ANALYSIS : (Attach a separate page if necessary)

No appropriation is required for FY 91

Prepared by: _____ Phone: _____
Division: _____ Date: _____
Approved by Commissioner: Garrey Peska, Chief of Staff Date: 6/26/90
Agency: _____

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

June 26, 1990

cc
SSN 599
SSN 8297

The Honorable Sam Cotten
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting sponsor substitutes for HB 599 and HJR 97 [[[SB 553 and SJR 86]]], relating to subsistence. The substitute for the bill deletes the original bill's provisions that would have created the Subsistence Review Commission, leaving only the change in the definition of "rural area." The substitute for the constitutional-amendment resolution deletes the original version's reference to "other renewable natural resources" from proposed art. VIII, sec. 19. I believe that these new versions address the subsistence question more satisfactorily, and I urge your early passage of both measures.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Cowper", written over the typed name.

Steve Cowper
Governor

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. GRUENBERG

TO: HB 599

Page 2, following line 24:

Insert a new bill section to read:

"* Sec. 6. The Alaska State Legislature finds that it is in the best interest of all citizens of the state to retain state subsistence laws as those laws existed before December 22, 1989, until the citizens of the state have voted on an amendment to the Alaska State Constitution relating to a subsistence preference at the 1990 general election. The Alaska State Legislature respectfully requests the Alaska Supreme Court to stay the effect of its decision in McDowell v. State, 785 P.2d 1 (Alaska 1989) until the lieutenant governor certifies the election returns of the 1990 general election on an amendment to the Alaska State Constitution relating to a subsistence preference."

Renumber the following bill sections accordingly.

Page 2, line 28:

Delete "and 6"

Insert ", 6, and 7"

adopted
6/26

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. GRUENBERG

TO: HB 599

Page 1, line 7, after "wildlife":

Insert ", relating to the definition of 'rural area,'"

Page 2, lines 21 - 24:

Delete all material.

Insert new bill sections to read:

"* Sec. 5. AS 16.05.258 is amended by adding a new subsection to read:

(g) The Board of Fisheries and Board of Game, meeting jointly under AS 16.05.315, shall adopt by regulation a definition of "rural area" for purposes of managing subsistence uses of fish and game under this chapter. The definition of "rural area" adopted under this subsection must be consistent with the requirements of 16 U.S.C. 3113 - 3115 in order that the state may retain management of fish and game on federal land.

* Sec. 6. AS 16.05.940(26) is repealed."

Renumber the following bill sections accordingly.

Page 2, line 28:

Delete "6"

Insert "7"

Page 3, line 1:

Delete "Section 5"

Insert "Sections 5 and 6"

Delete "takes"

Insert "take"