

SB

74

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 12, 1997

FURTHER REFERRALS:

Date of Committee Action: 2/12/97

The FINANCE Committee considered:

CSSB 74(FIN)

CS FOR SENATE BILL NO. 74(FIN)

APPROP: STATE'S CASE ON NATIVE SOVEREIGNTY

"An Act making appropriations concerning the state's position on the sovereign powers of Native tribal governments in the state; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Gene Theriault</i>	Theriault	X			
<i>Mark Hanley</i>	Hanley	X			
<i>Geo Mulder</i>	mulder	X			
<i>Terry Martin</i>	martin	X			
<i>Bob Davies</i>	Davies		X		
<i>Al Grussendorf</i>	Grussendorf		X		
<i>Frank Davis</i>	Davis			X	
<i>John Kohring</i>	Kohring	X			

CO-CHAIR'S SIGNATURE

Mark Hanley
Hanley

Gene Theriault
Theriault

handout 1
2/12/97

Failed 2/7

IN THE HOUSE FINANCE COMMITTEE #1

AMENDMENT TO SB 74
By Rep. Ben Grussendorf

*Section 1. (a) The sum of \$650,000 [500,000] is appropriated from the general fund to the Department of Law for the purpose of advocating the state's legal position on the sovereign powers of Native tribal governments in the state, including representation and advocacy before federal and state courts and federal administrative agencies.

Delete subsection (b).

handout 2
2/12/97

2

Failed 2/7

IN THE HOUSE FINANCE COMMITTEE

AMENDMENT TO SB 74

By Rep. Ben Grussendorf

Sec. 2

The appropriations made by section one of this Act lapse on the earlier date of June 30, 1998 or the date when the United States Supreme Court declines to hear the decision of the Ninth Circuit Court of Appeals in the case described in section one of this Act.

Attachment #3
2/12/97

0-GS0053\B.4
Cramer
2/12/97

3

Failed 2-7
AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE DAVIES

TO: CSSB 74(FIN)

1 Page 1, line 5:

2 Delete "The"

3 Insert "Subject to the condition in (c) of this section, the"

4 Page 1, lines 6 - 8:

5 Delete "advocating the state's legal position on the sovereign powers of Native tribal
6 governments in the state, including representation and advocacy before federal and state
7 courts and federal administrative agencies"

8 Insert "representation and advocacy before federal and state courts to appeal the
9 decision of the federal Ninth Circuit Court of Appeals in State of Alaska v. Native Village
10 of Venetie Tribal Government (9th Cir. Case No. 96-35042, decided November 20, 1996)"

11 Page 1, line 9:

12 Delete "The"

13 Insert "Subject to the condition in (d) of this section, the"

14 Page 1, following line 13:

15 Insert new subsections to read:

16 "(c) The appropriation made by (a) of this section is conditioned on the Department
17 of Law agreeing to present to the legislature a detailed financial account of the expenditures
18 made against the appropriation on the 10th day of the 1998 legislative session.

19 (d) The appropriation made by (b) of this section is conditioned on the Legislative
20 Affairs Agency agreeing to present to the legislature a detailed financial account of the
21 expenditures made against the appropriation on the 10th day of the 1998 legislative session."

Failed 2-7
AMENDMENT

OFFERED IN THE HOUSE
TO: CSSB 74(FIN)

BY REPRESENTATIVE DAVIES

1 Page 1, line 9:

2 Delete "\$500,000"

3 Insert "\$100,000"

4 Page 1, following line 13:

5 Insert new material to read:

6 "(c) The sum of \$400,000 is appropriated from the general fund to the legislative
7 operating budget for the purpose of supporting the state's interest, including litigation, on the
8 issue of sovereign powers of Native tribal governments in the state in light of the decision
9 of the federal Ninth Circuit Court of Appeals in State of Alaska v. Native Village of Venetie
10 Tribal Government (9th Cir. Case No. 96-35042, decided November 20, 1996).

11 * Sec. 2. The appropriation made by sec. 1(a) ~~and~~ (c) of this Act take^s effect only if the
12 United States Supreme Court agrees to review the federal Ninth Circuit Court of Appeal's
13 decision in the case referred to in sec. 1(c)."

14 Renumber the following bill sections accordingly.



IRA Council
 P.O. Box 100
 Shaktoolik, Alaska 99771-0100

Phone (907) 955-3701

Fax (907) 955-2352

This letter is in regards to Senate Bill 74 , of which we the Native Village of Shaktoolik are in oposition.

My question is , is this bill within the State constitutional guidelines of looking out for the greater good of the residents of the State of Alaska?

I and the residents of the Native Village of Shaktoolik are of the opinion that this bill does nothing to that effect , and in fact further divides the people of the state of Alaska in this issue.

Whereas we are a Federally recognized tribe and also residents of the State of Alaska, we as members of the State of Alaska are entitled to Equal representation by officials of the State of Alaska, or at least to be equally funded to represent ourselves by the state to present our views . as a people of the Native Village of Shaktoolik.

I therefore state my views in opposition of senate bill 74 unless matching funds are allocated to the tribes of Alaska to represent and present their views to the supreme court of the United States of America.

Thank you much for hearing my testimony.
 Sincerely

Simon Bekoalok Jr.
 President Native Village of Shaktoolik

Simon E. Bekoalok Jr.

SEARCHED
 INDEXED
 SERIALIZED
 FILED