

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
5714 HOUSE JUDICIARY

An Open Letter to Alaska's Elected Officials:

On Saturday March 10, I listened to renewed conflict over access to Alaska's wildlife resources! The occasion was a teleconference held by the House Resources Committee. Again, Alaskans are arguing over rural priority for subsistence use of these resources. The contestants debated the issue of an amendment to the Alaska Constitution to achieve this priority.

Three major factors distract us from the real issue:

(1) The Alaska National Interest Lands Conservation Act (ANILCA) creates the threat that the federal government will manage Alaskan resources on federal lands if the state doesn't provide for preferential access to fish and game for "rural" citizens. This threat should offend and anger every Alaskan. Federal management is undesirable, but management jurisdiction can be settled after Alaskans fairly resolve the resource conflict.

(2) Another factor is the ease with which the conflict can be twisted to appear to be racial. The issue is not racial... though heated arguments quickly become ugly and racial.

(3) Partisan politics clouds the issue. It isn't partisan, though some partisans would make it so. Republican Senator Ted Stevens says the federal threat is our legislature's problem, and refuses to try amend ANILCA to keep Federal authorities from dictating state policy. That Act has been amended nine times. The issue is not partisan, but Democrat Governor Steve Cowper says the Democrats will solve the problem... then promotes a constitutional amendment which divides the people of Alaska. He furthermore will not challenge ANILCA in court. If I recall correctly, as a new governor he pledged to pull Alaskans together to solve problems.

Each side of this issue has valid concerns. Each has experienced threats from other Alaskans who are viewed as opponents in this conflict... However, there was one common thread underlying the comments of all participants in the teleconference. **The fish and game resources of Alaska are important to all Alaskans; Inupiat, Aleuts, Indians, Crucasians, Blacks, Orientals, urban and rural dwellers... all Alaskans. We all value the resources and need them for the survival of our Alaskan way of life. Subsistence use of fish and game is an Alaskan tradition. Subsistence must continue!**

We should draw together to solve Alaskan's subsistence needs. Instead of fighting over shares of the 'resource pie', we must secure more 'resource pies'.... more moose, more salmon, more timber, more caribou, more browse... more resources to satisfy the needs of all Alaskans. Professionals, managers can dramatically increase all

renewable resources. fish, game, timber. They are trained in these skills. They didn't train to become bureaucrats. They trained to become professionals: fish biologists, game biologists, foresters, research scientists. State government made them into bureaucrats. Let others be the bureaucrats, who deal with politicians, public relations and administration. Bureaucracy interferes with the work of our trained managers!

One brief example illustrates the seriousness of bureaucratic interference. Consider a dedicated former "moose biologist" who recently retired from the Alaska Department of Fish & Game. When discussing this problem, he stated many times, "Not once was I instructed to produce more moose!". What was he doing during his years of service to the Alaskans? He tried to manage moose, but also, he was forced to avoid offending one politician or another, defend his decisions to a noisy self proclaimed moose expert, or argue with a reluctant state forestry or habitat official about producing moose browse. This situation is common to all natural resource managers in the state. Ask a practicing forest manager what needs to be done to enhance Alaska forest production. He'll tell you. Ask him why it's not being done and you will hear of this same interference. You'll hear why there are limited resources. The resource conflict, as serious as it is, is a symptom of the real problem... a breakdown in professional resource management.

Only you, elected officials, have the authority to solve this serious problem. Change the way our renewable resources are managed. Support our professional managers. Free them from being bureaucratic political pawns. Painful reorganization of agencies will be necessary. Special interest will lose control. Those who are nourished by conflict will suffer, but the resources and Alaskans will benefit. This is your challenge! This is your opportunity!

What can be done? Remove political manipulation from management of Alaska's renewable resources. Oregon's and Missouri's system might provide some methods. Ask for help from the people and organizations who testified at the teleconference. You will find responses from talented Alaskans who have genuine interests in providing the needed resources for Alaskans. Don't polarize Alaskans! Your special interest should be all the people of Alaska.

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March 13, 1990

Chairpersons
House and Senate Resources Committees
Alaska State Legislature
PO Box V
Juneau, Alaska 99811

Senator Fahrenkamp & Representative Menard,

Attached for your use and review is a DRAFT Subsistence Bill that could pull you out of the mess. This legislation recognizes the uniqueness of federal lands, the problems of Title VIII and the responsibilities and complexities of concurrent legislative jurisdiction in the management of fish and wildlife resources on federal lands.

This legislation also provides a definition of rural, consistent with existing federal law and programs and allows that definition to be modified by the US Census Bureau consistent with their normal delineation processes nationally.

This legislation will only apply to federal lands and not to state or private lands in Alaska.

This legislation will not change anything significantly. The federal agencies are in the process of wrestling with the Kinitzi federal court decision as it applies to the definition of rural and the Secretary of Interior is considering an amendment to ANILCA to resolve that problem.

The passage of this legislation is consistent with Title VIII and its legislative history as it is constructed from Title VIII.

This legislation avoids a Constitutional amendment and the political problems I know most of you wish to avoid.

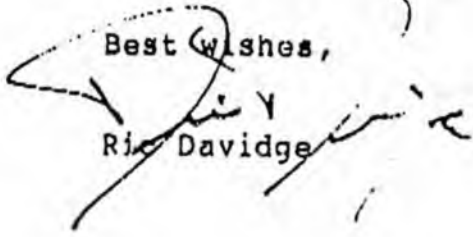
Can the State Legislature pass a law that only affects how it (the State) functions within its responsibility under concurrent legislative jurisdiction over federal lands? I believe it can in light of the fact that federal lands within a state must be managed consistent with federal law and that when there is a conflict between federal and state law it is the federal law that prevails unless that federal law is determined unconstitutional by the US Supreme Court.

I suggest you present this as a Committee alternative. Hold a teleconference and find out what level of support or opposition

you have. The most important new positions taken at the teleconference last Saturday are the number of sportsmen's groups supporting federal management rather than a Constitutional amendment.

I hope this is constructive. I know it will generate some opposition based on growing expectations of some Native leaders, but I believe it can prevail with solid legislative management.

Best Wishes,


Ric Davidge

PROPOSED SUBSISTENCE LAW

FINDINGS

The Legislature finds and declares that -

(1) the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives, on the federal lands and by Alaska Natives on Native lands is essential to native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence;

(2) the situation on Federal lands in Alaska is unique in that; federal law mandates a subsistence preference on federal lands consistent with the provisions of The Alaska National Interest Land Claims Settlement Act (ANILCA), and fish and wildlife resources on federal lands are managed cooperatively by federal and state agencies under concurrent legislative jurisdiction.

(3) fish and wildlife habitat on federal lands is under direct federal management while fish and wildlife resources are under concurrent jurisdiction.

(4) with the passage of ANILCA the Congress of the United States found that the State of Alaska was competent to manage these resources and because of the State's management experience and management resources the State was determined as the appropriate lead agency for the management of fish and wildlife resources on federal lands.

(5) all management of fish and wildlife resources on federal lands must be consistent with federal law. In the event of federal/state law conflicts it is federal law that prevails.

(6) ANILCA does not define "rural" or "urban" resulting in significant difficulty in implementing a coordinated and cooperative management program

POLICY

It is hereby declared to be the policy of the Legislature that;

(1) consistent with sound management principles, and the conservation of healthy populations of fish and wildlife, the utilization of the federal lands in Alaska is to cause the least adverse impact possible on rural residents who depend upon subsistence uses of the resources of such lands; consistent with management of fish and wildlife in accordance with recognized scientific principles and the purposes of each of the federal Conservation System Units established, designated, or expanded by or pursuant to title II through VII of ANILCA, the purpose of this Act is to provide the opportunity for rural residents engaged in a subsistence way of life to do so;

(2) nonwasteful subsistence uses of fish and wildlife and other renewable resources shall be the priority consumptive uses of all such resources on the federal lands of Alaska when it is necessary to restrict taking in order to assure the continued viability of a fish or wildlife population or the continuation of subsistence uses of such population, the taking of such

population for nonwasteful subsistence uses shall be given preference on the federal lands over other consumptive uses; and

(3) except as otherwise provided by this Act State agencies in managing subsistence activities on the federal lands and in protecting the continued viability of all wild resources in Alaska, shall cooperate with adjacent public or private landowners and land managers.

PREFERENCE FOR SUBSISTENCE USES

The taking on federal lands of fish and wildlife for nonwasteful subsistence uses shall be accorded priority over the taking on federal lands of fish and wildlife for other purposes. Whenever it is necessary to restrict the taking of populations of fish and wildlife on federal lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, such priority shall be implemented through appropriate limitations based on the application of the following criteria:

- (1) customary and direct dependence upon the populations as the mainstay of livelihood;
- (2) local residency; and
- (3) the availability of alternative resources.

DEFINITIONS

As used in this Act, the term "subsistence uses" means the customary and traditional uses by rural Alaska residents of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles out of nonedible byproducts of fish and wildlife resources taken for personal or family consumption; and for customary trade.

For the purposes of this Act, the term -

(1) "family" means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and

(2) "barter" means the exchange of fish or wildlife or their parts, taken for subsistence uses -

(A) for other fish or game or their parts; or

(B) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature.

(3) "rural" means any community whose population is customarily or traditionally dependent on the harvesting of fish and wildlife resources on federal lands with a population not greater than 2500 or as delineated by the US Census Bureau.

(4) "urban" means any community whose population is customarily or traditionally dependent on the harvesting of fish and wildlife resources on federal lands with a combined population greater than 2500 or as delineated by the US Census Bureau.

COOPERATIVE AGREEMENTS

The Governor may enter into cooperative agreements or otherwise cooperate with Federal agencies and other land owners including private land owners to effectuate the purposes of this Act.



Alaska State Legislature

Please enter into the record my testimony to the Resources - House
 committee name
 committee on HJR 74
HJR 88, dated 3/10/90
HJR bill/subject

(Attached)

(A) "Prevalence of Diabetes Mellitus in Alaskan Eskimos, Inuits, and Aleuts" (DIABETES CARE 11:673-700, 1988)

(B) "DIABETES MELLITUS IN ALASKA NATIVOS"
 Arctic Investigations Laboratory, CENTERS for Disease Control (Program Notes No. #6 3/87)

Signed: NEEL J. Murphy MD
 Testifier

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Prevalence of Diabetes Mellitus in Alaskan Eskimos, Indians, and Aleuts

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 Dorothy Gohdes, MD
 Neil J. Murphy, MD

The prevalence of diabetes mellitus in Alaska Natives has been thought to be low, but no survey of this condition in all natives has been conducted. Medical records from 1979 to 1985 were reviewed to determine the prevalence of diagnosed diabetes mellitus in Alaska Natives. Computerized outpatient and inpatient medical record data and clinician reports were used to identify cases. As of December 1985, 610 living Alaska Natives fulfilled diagnostic criteria for diabetes. Type II diabetes mellitus was found in 364 subjects, type I diabetes was found in 13 subjects, and unspecified type of diabetes was found in 31 subjects. The overall age-adjusted prevalence of diabetes mellitus, 15.7/1000, was lower than the overall United States rate of 24.7/1000. However, age-adjusted prevalence varied considerably by ethnic group; the prevalence was 27.2/1000 among Aleuts, 22.0/1000 among Alaskan Indians, and 8.8/1000 among Alaskan Eskimos. Rates within the Eskimo subgroups varied by a factor of four. Compared with previous reports, the prevalence of diabetes mellitus in Alaskan Eskimos appears to have increased. Diabetes mellitus is no longer a rare condition among Alaska Natives. *Diabetes Care* 11:683-700, 1988

Studies of Alaska Natives and other arctic indigenous populations have indicated a low prevalence of diabetes mellitus compared with the 1980 United States prevalence of 24.7/1000 for all races (1). A 1957 survey of 16,000 Alaskan Eskimos revealed 3-6 cases, depending on diagnostic criteria, for a crude prevalence of 0.2-0.4/1000 (2). Reports over the subsequent 15 yr revealed an increasing, but still low, prevalence of glucose intolerance in Alaskan Eskimos (3,4). Reviews of historic information indicate low prevalence rates in several Eskimo groups (5-9). In

the 1960s a study of Alaskan Athabaskan Indians reinterpreted with 1985 World Health Organization (WHO) diagnostic criteria, identified 3 cases among 306 subjects >20 yr old (9.8/1000) screened by oral glucose tolerance test (OGTT; 10). The low prevalence of diabetes in arctic populations is in contrast to that among American Indians, who have experienced a dramatic increase in diabetes prevalence during the twentieth century to rates as high as 341/1000 in the Pima Indians of Arizona (6,11-13).

In recent years, several clinicians in Alaska have noted an apparent increase in the number of Alaska Natives with diabetes. Because of these observations, a project was initiated in 1985 to develop a diabetes registry to improve patient care and to define the magnitude of the problem of diabetes among Alaska Natives. We describe the prevalence of diabetes among Alaska Natives as of 31 December 1985 and compare it with previous data.

PATIENTS AND METHODS

The Alaska Native population consists of three major ethnic groups, Eskimos, Indians, and Aleuts (14). These major groups may be further subdivided into linguistic groups that have traditionally occupied certain geo-

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The opinions expressed in this article are those of the authors and do not necessarily reflect the views of the CDC.

DIABETES MELLITUS IN ALASKA NATIVES



FIG. 1. Geographic distribution of native groups within Alaska.

graphic areas of the state (15) (Fig. 1). The Eskimos can be divided into two major groups, the Inupiaq (northern) and the Yupik (southwestern) (16). Alaskan Indians include the Athabaskan tribes of the interior and the tribes of the Pacific Northwest coast (14). The Aleuts include the residents of the Aleutian and Pribilof Islands and from the tip of the Alaska Peninsula. The inhabitants of the remainder of the Alaska Peninsula, the Kodiak area, and coastal regions of southcentral Alaska identify themselves as Aleut although linguistic and anthropologic studies classify them as Sugpiaq Eskimos (15-17). In the current medical records system and in this report, the

term Aleut includes these groups. Comprehensive health care is available to all Alaska Natives directly through the Indian Health Service (IHS) or by contract with regional native health corporations. The state is divided into nine IHS service units (Fig. 2), each of which consists of a constellation of village clinics staffed by health aides and/or midlevel practitioners and a small referral hospital or clinic staffed by physicians. The 170-bed Alaska Native Medical Center in Anchorage serves as a tertiary referral center. In six of the nine service units the IHS offers the only full-service health care available; in all service units, IHS care is free of charge, including



FIG. 2. Indian Health Service health delivery service units in Alaska.

prescription medications. It is estimated that >90% of the Alaska Native population uses the IHS system in some way for health care.

Patients with diabetes were ascertained from a computerized health-care data base, the Patient Care Information System (PCIS), which was established by the IHS in Alaska in 1979. At the time it was established, all diagnoses on master problem lists from all charts at IHS facilities were entered into the data base. Since its inception, all inpatient and outpatient visits at IHS facilities in Alaska and outpatient visits at all but two native corporation facilities have been recorded in PCIS. Information recorded includes demographic data, narrative and International Classification of Diseases (ICD)-9-coded diagnoses for each in- or outpatient visit (including pharmacy visits), an active and inactive problem list, a location and provider code for each visit, and in some cases, laboratory values and medications prescribed. This system was used to obtain the names of all patients seen with diabetes and its ensuing complications by a physician, physician's assistant, or nurse practitioner between early 1979 and 31 December 1985. Names of patients for whom diabetes had been noted on the problem list before 1979 were also obtained. The ICD-9 codes used in the search were the following: 250-250.9, 357.2, 362.0-362.02, 366.41, 648.0, 648.8, 775.0, and 790.2, (see APPENDIX). The computerized health summary and/or the patients' charts were then reviewed either by one of the authors or by a physician or nurse at the patient's home facility to verify the diagnosis. As an additional verification check, the local physicians at each facility were asked to supply names of any diabetic patients meeting the criteria who had not been identified by the PCIS system. The two native corporation facilities that did not submit data to PCIS were the Nome Service Unit (population 5787) and Kodiak Island (population 2171; within the Anchorage Service Unit). For Nome, cases were ascertained from files of ICD-9-coded diagnoses maintained locally for each in- and outpatient visit. For Kodiak, cases were ascertained from a diabetes registry maintained locally. In all cases, records were reviewed for diagnostic criteria.

The diagnosis of diabetes was accepted if the records contained information meeting the 1985 WHO criteria for diabetes (18). In addition, patients were accepted as diabetic if records showed a history of oral hypoglycemic agent or insulin prescription. These criteria were used only for those whose available records did not include pretreatment laboratory values and whose glucose values while on medication were either not available or below the diabetic range.

Cases of diabetes were classified as type II if specified as *adult onset, non-insulin dependent*, or *type II* in the diagnosis or if management had included diet alone or oral hypoglycemic agents. The diagnosis of type I diabetes was accepted only when all of the following were true: *type I* or *juvenile onset* noted by the primary physician, continuous management with insulin, and a history of either ketoacidosis or a labile glycemic response

to insulin consistent with type I diabetes. The term *insulin-dependent diabetes* was not accepted as equivalent to type I because in many cases this term referred to a type II diabetic patient on insulin. The designation *diabetes, type unspecified* was used for cases in which a clear-cut distinction was not possible based on the information available to the authors. Diabetes secondary to other conditions was included in this group.

Two other groups of patients were identified. An impaired glucose tolerance group included patients with at least one fasting plasma glucose level of 115-139 mg/dl or at least one random or 2-h glucose level of 140-199 mg/dl. Patients with a past diagnosis of gestational diabetes were included in this group. A "possible diabetes" group consisted of patients with a history of one fasting plasma glucose level of ≥ 140 mg/dl or one random or 2-h plasma glucose level of ≥ 200 mg/dl.

Ethnicity and blood quantum (i.e., self-declared proportion of native ancestry) were taken from the PCIS data base or, if not present in this data base, from local hospital or clinic records. Patients were classified as Eskimo, Alaskan Indian, or Aleut. For rate calculations, IHS estimates of the 1985 population for all Alaska Natives, for each ethnic group, and for each service unit were used. Estimates of the total population and each service unit population were based on the 1980 United States census corrected for births and deaths in subsequent years. The proportion of the total represented by each age, sex, and ethnic group (Eskimo, Indian, Aleut) was assumed to be constant from 1980 to 1985. Age- and sex-specific population data for each ethnic group were based on the 1980 distribution, applied to the 1985 estimated ethnic populations.

The Alaska rates were age-adjusted to the 1980 United States rates for all races by the direct method (19). Comparisons between age-adjusted rates were made with the method of Chiang as described by Lilienfeld and Lilienfeld (20). Comparison of crude rates was done with χ^2 techniques to enable an overall test to be performed. For multiple pairwise comparisons of rates, an adjusted Bonferroni *P* value was used (21).

RESULTS

We identified 1585 patient records containing the ICD-9 codes listed in the PCIS system (APPENDIX). Service unit physicians identified an additional 22 patients, 14 of whom were from the two clinics that did not report outpatient visits to PCIS. Of the 1607 records reviewed, 610 Alaska Natives residing in Alaska at the end of 1985 met the criteria for diabetes mellitus. An additional 72 patients had evidence of impaired glucose tolerance, and 34 patients had possible diabetes. The status of 35 patients was unknown, because of either incomplete records (8 patients) or incomplete residence information (27 patients) (Table 1). Most Alaska Native patients with an unspecified type of diabetes were probably type II

DIABETES MELLITUS IN ALASKA NATIVES

TABLE 1
Summary of diabetes classification of Alaska Natives based on medical record review, December 1985

Total records reviewed	1607
Eliminated from study*	856
Diabetes, total	610
Type I	15
Type II	564
Type unspecified	31
Evidence of impaired glucose tolerance	72
Possible diabetes	34
Incomplete records	8
Possible non-Alaskan residence	27

*Due to non-Native race (431), no evidence for glucose tolerance abnormality (246), death (156), or duplication of records (23).

diabetic individuals based on age distribution. The exceptions were 2 pancreatectomized patients and 2 patients with a rare congenital syndrome of thiamine-dependent anemia with deafness and diabetes (22). Eight hundred fifty-six patients were eliminated from the study, 431 because of non-Native race, 246 because no evidence of glucose tolerance abnormality was found, 156 because of death before 31 December 1985, and 23 because of duplication of records. The 246 with no evidence of glucose intolerance included those with "rule out diabetes," "family history of diabetes," "wants check for diabetes," and other statements in the record that had been coded to diabetes.

The age-adjusted prevalence of diabetes among Alaska natives as of 31 December 1985 was 15.7/1000. There was a threefold variation within the population, with Eskimos showing an age-adjusted prevalence of 8.8, Indians 22.0, and Aleuts 27.2/1000. The age-adjusted Eskimo rate differed significantly from both the Indian ($Z = 8.97$, $P < .001$) and the Aleut ($Z = 7.38$, $P < .001$) rates, and the two latter were not significantly different ($Z = 1.87$, $P < .061$). Rates in all groups generally increased with age (Table 2). Age-specific rates after age 25 yr for Indians and Aleuts were similar to

United States rates, whereas those for Eskimos were lower (Fig. 3). After age 35 yr, age-specific rates among Eskimos were continually significantly lower than those of Aleuts, and after age 45 yr the age-specific rates for Eskimos were lower than those of Indians.

Further subdivision by service unit shows a fivefold variation in age-adjusted prevalence. A combined comparison of crude rates shows significant overall variation ($\chi^2 = 150.3$, $df = 8$, $P < .001$), and pairwise comparisons of age-adjusted rates also showed multiple significant differences. The Yukon-Kuskokwim Delta Service Unit, whose population is ~94% Yupik Eskimo and 6% Athabaskan Indian, had the lowest prevalence at 5.8/1000, whereas the Annette Island Coastal Indian population had the highest rate at 31.1/1000 (Table 3). Most of the Aleut population is within the Anchorage Service Unit. Because the group of people noted as Aleut in the medical records contains both Aleuts and Sugpiaq Eskimos, we calculated age-adjusted prevalence rates per 1000 for subdivisions of the Aleut population. The age-adjusted rate for the Aleut residents of the Aleutian and Pribilof Islands (linguistically defined as Aleut) was 32.1 (43 cases, 2228 population). The population of St. Paul Island, one of the Pribilof Islands, had an exceptionally high rate of 69.2 (25 cases, 557 population) whereas the other Aleutian Aleuts had a rate of 20.0 ($\chi^2 = 24.0$, $df = 1$, $P < .001$). The rate for Aleuts residing away from the Aleutian region (predominately Sugpiaq Eskimos) was 24.4 (96 cases, 7086 population). This represents the highest rate among the Eskimo linguistic groups.

The female-to-male prevalence rate ratio among all diabetic patients was 1.6:1. The female predominance was apparent in each major ethnic group and in each age group over 25 yr, with two exceptions: Eskimos aged 25-34 yr (10 cases, male rate equal to female rate) and Aleuts aged 35-44 yr (19 cases, male rate greater than female rate). Of people with type I diabetes, there were 7 male and 8 female patients.

Table 4 shows numbers of patients by native blood quantum and type of diabetes for the 449 patients for

TABLE 2
Estimated 1985 Alaska Native populations, total diabetes cases, and age-specific prevalence rates per 1000

Age group (yr)	All native			Eskimo			Indian			Aleut		
	Population	Cases	Rate	Population	Cases	Rate	Population	Cases	Rate	Population	Cases	Rate
0-14	24,961	5	0.2	13,843	1	0.1	8231	1	0.1	2887	3	1.0
15-24	17,551	6	0.3	9512	2	0.2	5777	4	0.7	2262	0	0.0
25-34	11,526	24	2.1	5872	10	1.7	4175	7	1.7	1478	7	4.7
35-44	7300	60	8.2	3601	18	5.0	2719	23	8.5	980	19	19.4
45-54	5564	123	22.1	2853	31	10.9	1905	66	34.6	806	26	32.3
55-64	3579	170	47.5	1863	53	28.4	1203	81	67.3	513	36	70.2
≥65	3317	222	66.9	1765	64	36.3	1165	110	94.4	387	48	124.0
Totals												
Crude	73,798	610	8.3	39,308	179	4.6	25,176	292	11.6	9314	139	14.9
Age adjusted*			15.7			8.8			22.0			27.2

*Adjusted to 1980 United States all races population.

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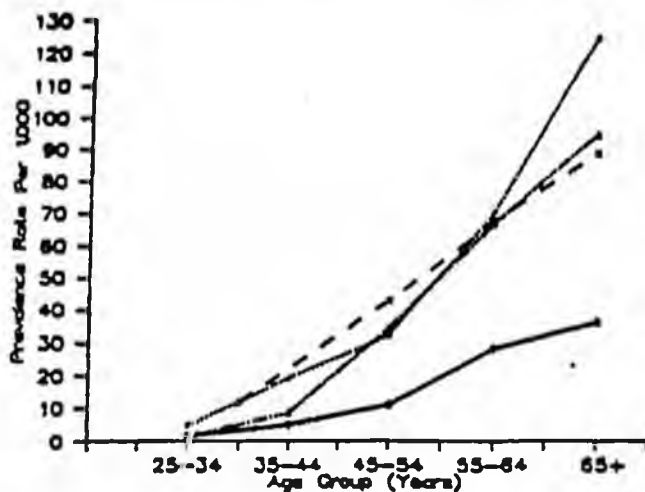


FIG. 2. Age-specific prevalence rates (per 1000) of diabetes for Alaska Natives, including Aleuts (dotted line), Eskimos (dashed and dotted line), and Eskimos (solid line), for 1985 and for all races in United States (dashed line) for 1990.

whom both blood quantum and type of diabetes were specified. Of type I patients, only 1 (8%) was full-blooded. Of type II patients, 267 (61%) were full-blooded.

DISCUSSION

This study constitutes the first systematic attempt to determine the prevalence of diabetes among all Alaska Natives. There are several possible limitations in the data. A tendency toward underreporting in hospital- and clinic-based studies of diabetes has been described (23-26). However, our methods of case ascertainment ensured that any diabetes-related clinic visit to a physician or midlevel practitioner and any hospitalization for diabetes in the IHS system in Alaska during a 7-yr period would have been

noted. Although Alaska Native patients seeking care entirely from village health aides, the private sector, or out-of-state would have been missed, it is unlikely that this number would be large because the IHS offers the only comprehensive health care in six of nine regions and all care, including pharmacy service, is free of charge to Alaska Natives. The only regions not reporting outpatient visits to PCIS coded all outpatient visits locally and reported their diabetes cases to us. Overreporting could have occurred if local chart reviewers were not stringent in their application of the WHO criteria or if the patients accepted on the basis of insulin or oral agent management were not actually diabetic by WHO criteria. These are not likely to be large sources of error because both written and verbal instructions on diagnostic criteria were given.

Possible sources of error in the prevalence rates include inaccuracies in the 1985 estimated populations and errors in assignment of ethnicity within the medical records system. The United States census includes Canadian Indians, Canadian Eskimos, and American Indians with Alaskan Indians and Alaskan Eskimos in population data. Because patients from these groups were not included in our case definition, there may be a small underestimation of the prevalence in Indians and Eskimos, in that the denominators, but not the numerators, include immigrant individuals. Our prevalence rates are minimal estimates, because we ascertained only clinically diagnosed cases. A review of screening surveys in several populations demonstrated that for every known diabetes patient there was at least one undiagnosed case (27). Whether the same degree of underascertainment exists in this study is unknown.

It is difficult to compare prevalence rates of diabetes in different populations because of differing diagnostic criteria, case ascertainment methods, and age-standardization methods. Table 5 shows reported prevalence rates in several North American populations during the past two decades (1,11,24,28-31). Age-adjusted rates in Alaskan Indians and Aleuts are now roughly comparable to the rate for all races in the United States and slightly

TABLE 3
Prevalence rates of diabetes in Alaska Natives by Indian Health Service Unit, December 1985

Service unit	Predominant ethnic group	Number of cases	1985 population	Crude rate per 1000	Age-adjusted rate per 1000*
Annette Island	Coastal Indian	21	1107	19.0	31.1
Mt. Edgecumbe	Coastal Indian	154	10,052	15.3	27.2
Anchorage	Mixed	193	19,998	9.7	20.7
Interior†	Athabaskan Indian	78	8522	9.2	16.7
Kotzebue	Inupiaq Eskimo	47	5221	9.0	16.6
Barrow	Inupiaq Eskimo	23	3021	7.6	14.0
Bristol Bay‡	Yupik Eskimo	23	4184	5.5	10.4
Norton Sound	Inupiaq Eskimo	23	5787	4.0	6.7
Yukon-Kuskokwim§	Yupik Eskimo	48	15,906	3.0	5.8

*Age adjusted to 1980 United States all races population.
 †Includes some Inupiaq Eskimos.
 ‡Includes some Aleuts.
 §Includes some Athabaskan Indians.

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TABLE 4
Native blood quantum by type of diabetes

Quantum	Eskimo		Indian		Aleut		Total	
	n	Percent	n	Percent	n	Percent	n	Percent
Type I								
<1/2	2	33	2	67	2	50	6	46
1/2-7/8	3	50	1	33	2	50	6	46
Full	1	17	0	0	0	0	1	8
Total	6	100	3	100	4	100	13	100
Type II								
<1/2	5	3	21	12	19	17	45	10
1/2-7/8	24	17	51	28	49	44	124	28
Full	116	80	108	60	43	39	267	61
Total	145	100	180	100	111	100	436	99*

Data are presented for 449 Alaska Natives with specified quantum and specified type of diabetes; 161 patients had unspecified type and/or unknown blood quantum.

*Does not add to 100% due to rounding.

exceed some North American Caucasian rates. Alaskan Eskimo rates are still lower than other rates reported for the United States. All Alaska Native rates are substantially lower than other American Indian rates.

Any interpretation of the differences in the prevalence of diabetes within the Alaska Native population must remain speculative. However, the dramatic increase in the prevalence of diabetes in many other populations after adoption of Western or urban life-styles has been well documented (6,27,32-37). With this phenomenon in mind, one possible interpretation of our data is that the groups with higher prevalence rates were the first to be influenced by Caucasian groups.

The history of Caucasian contact with each Alaska Native group has been well documented (38). The medically relevant consequences of this contact have also been chronicled (R. Fortuine, unpublished observa-

tions). The Aleuts, Sugpiaq Eskimos, and coastal Indians were heavily influenced by Russians in the late 1700s; the Inupiaq Eskimos and Athabaskan Indians experienced large-scale cultural influence in the mid to late 1800s; and the Yupik Eskimos, despite early Russian explorations, did not undergo major cultural changes until the late 1800s and early 1900s.

Of particular interest is the variation in prevalence within the Aleut and Eskimo groups. These two populations are believed to be related, as determined by linguistic and anthropologic studies (17). Both the Aleut and Sugpiaq groups are believed to have a higher percentage of Caucasian genetic heritage than other Alaska Native groups. Our data indicate that the Aleut residents of the Aleutian and Pribilof Islands have a somewhat higher prevalence of diabetes than does the Sugpiaq group. The prevalence in the latter group, which is considered by anthropologists to be an Eskimo population, is higher than those in the Yupik and Inupiaq Eskimo regions. Hence, it appears that Eskimos cannot be regarded as a homogeneous group in terms of diabetes risk and that the closely related Aleut-Eskimo group spans the range of age-adjusted prevalence rates among Alaska Natives.

The past prevalence of diabetes among Alaska Natives is not well documented; however, some historic data exist for Eskimos as previously noted. Despite major methodologic differences, it appears that the 1985 Eskimo crude rate of 4.6/1000 compared to the 1957 crude rate of 0.2-0.4/1000 indicates a true increase in the prevalence of diabetes among Eskimos. The survey published in 1957 included screening by OGTT as well as a survey of all facilities treating Alaskan Eskimos (2). The early study showed a total of 3-6 Eskimos with diabetes, depending on interpretation of the data. All were >35 yr old, yielding a rate of 0.8-1.6/1000 in that age group. The 1985 data shows a rate of 16.5/1000 in the group ≥35 yr old. The mean and median ages of the

TABLE 5
Diabetes prevalence per 1000 in several populations

	Crude rates	Age-adjusted rates	Crude rates (≥35 yr)	Refs.
All Alaska Natives 1985	8.3	15.7*	29.1	
Alaskan Eskimos 1985	4.6	8.8*	16.5	
Alaskan Indians 1985	11.6	22.0*	40.0	
Alaskan Aleuts 1985	14.9	27.2*	48.0	
United States, all races 1979-1981		24.7		1
Minnesota, Caucasians, 1979-1982		16.0†		24
Minnesota, Caucasians, 1945-1970		16.1†		28
Canada, Caucasians, 1977	15.3			29
Pima Indians 1977		341.0‡		11
San Carlos Apache 1976			249	30
White River Apache 1970			108	30
Navajo 1970			127	30
Zuni 1976	43.0			31

*Age adjusted to United States 1980 all races population.

†Age adjusted to United States 1970 Caucasian population.

‡Age adjusted to 1970 United States population.

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Alaska Native population ≥ 35 yr old have changed only slightly since 1960 (1960 mean and median 50.1 and 47.3, respectively; 1980 mean and median 51.7 and 49.2, respectively). Hence, it does not appear that changes in age structure account for the apparent increase in prevalence. Few studies of diabetes prevalence among Alaska Natives other than Eskimos exist. The screening study of 306 Athabaskan Indians >20 yr old published in 1969 and reinterpreted by current WHO criteria reveals a prevalence as high as 9.8/1000 (10). This prevalence could be compared with our estimated rate of clinically recognized diabetes of 14.2/1000 in Athabaskan Indians >20 yr old (62 cases, 4371 population). A 1972 screening study on St. Paul Island (Aleuts) revealed a 9.8% prevalence among those residents >10 yr old compared to our rate of 5.6% in the same age group (25 cases, 447 population) (39). Note that the past studies involved screening by OGTT whereas our rates reflect only those with clinically recognized diabetes in populations in which screening for elevated glucose is not routine. Hence, past studies should have had greater sensitivity.

Among diabetic subjects with specified native blood quantum and diabetes type, most type II diabetic subjects were full-blooded, whereas only one type I patient was full-blooded. However, a relationship between the risk of diabetes and blood quantum cannot be determined from this study, because blood-quantum distribution in the nondiabetic population is unknown, and furthermore, blood quantum is usually self-stated. However, studies of American Indians with various blood quanta have found increased prevalence of type II diabetes in full-blooded individuals (40-42).

In conclusion, our study shows that diabetes is not a rare disease among Alaska Natives. Although still less common in Eskimos than in the rest of the United States population, diabetes appears to have increased in prevalence in the last few decades. The prevalence of this disease varies widely among the ethnic groups in Alaska, and even among Eskimo subgroups there are differences. The presence of diabetes in populations in which it was previously thought to be extremely rare is of concern. Continued study over the next several years should further clarify the prevalence and provide incidence rates. In view of the emergence of diabetes as a major problem among American Indians, the documented rates in Alaska Natives justify efforts at prevention through public education about risk factors (diet, obesity, sedentary lifestyle). Early detection through increased screening and coordinated efforts at rendering the best possible care to known diabetic individuals should help prevent complications.

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APPENDIX

ICD-9 codes used in computerized records search for diabetic patients

250	Diabetes mellitus
	250.0 without mention of complication
	250.1 with ketoacidosis
	250.2 with hyperosmolar coma
	250.3 with other coma
	250.4 with renal manifestations
	250.5 with ophthalmic manifestations
	250.6 with neurologic manifestations
	250.7 with peripheral circulatory disorders
	250.8 with other specified manifestations
	250.9 with unspecified complication
357.2	Polyneuropathy in diabetes
362.0	Diabetic retinopathy
362.01	Background diabetic retinopathy
362.02	Proliferative diabetic retinopathy
366.41	Diabetic cataract
648.0	Diabetes mellitus, classifiable to 250
648.8	Abnormal glucose tolerance, classifiable to 790.2
775.0	Maternal diabetes affecting fetus or newborn
790.2	Abnormal glucose tolerance test

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DIABETES MELLITUS IN ALASKA NATIVES

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ARCTIC INVESTIGATIONS LABORATORY



Centers for Disease Control

PROGRAM NOTES

NO. 6

March 1987

DIABETES MELLITUS IN ALASKA NATIVES

Historically, diabetes was rarely diagnosed in Alaskan Natives. A 1957 survey revealed not more than 6 diabetic patients among 16,000 Alaskan Eskimos, or a prevalence of 0.4 per 1,000. A 1969 screening program, involving 306 Athabaskan Indians over 20 years old demonstrated four cases of diabetes - a prevalence of 13 per 1,000. The results of these early surveys were in agreement with the clinical impression of early IHS physicians.

The emergence of Type II diabetes in populations undergoing rapid cultural transition is a well documented phenomenon. Many American Indian tribes have experienced a phenomenal increase in the prevalence of diabetes since World War II. In Pima Indians rates changed from 0.5 per 1,000 in 1940 to 341 per 1,000 (in those over 5 years of age) in 1977. Many other tribes have experienced a rapid, although less dramatic, emergence of diabetes in recent decades. Complications, especially retinopathy, renal failure, and amputations now occur at high rates among these tribes. In the 1980s, many Alaskan health care providers perceived an increase in the number of Native diabetic patients. In view of this impression and the history of the evolution of diabetes in American Indians, the Arctic Investigations Laboratory, CDC and the AANHS, IHS launched a project to establish a diabetes registry and to determine the prevalence of diabetes in Alaska Natives as of December 1985.

The IHS computerized medical record system (PCIS) was used to retrieve the names of all patients seen for each of the diabetes-related diagnostic codes since 1979, as well as those who had had diabetes noted on their problem lists prior to

1979. The records of each patient were reviewed to verify ethnicity and diagnosis. The World Health Organization criteria for diabetes were used; these criteria require at least 2 plasma glucose values in the diabetic range, which consists of fasting values ≥ 140 , or 2 hour postprandial values ≥ 200 . Any plasma glucose value ≥ 200 in the presence of classic symptoms also verifies the diagnosis. A total of 1,585 records were retrieved and reviewed. In addition, local physicians noted 22 diabetic patients not identified by the PCIS system. A total of 610 Alaska Natives, living in Alaska as of December, 1985, met the diagnostic criteria for diabetes, and an additional 106 Alaska Natives were found to have had at least one elevated blood glucose value. Only 14 of the patients have type I diabetes.

There appears to be wide variation in the prevalence of diabetes by region and by ethnic group among Alaska Natives. The crude and age-adjusted rates are shown in Table 1. The crude rates vary from 4.6 per 1,000 in Eskimos to 14.9 per 1,000 in Aleuts. The rates for Alaskan Indians and Aleuts, when adjusted for the age structure of the population, are now similar to the US rates, while that for Eskimos is below the US rate. The crude rates in each Service Unit are displayed in Figure 1. Prevalence rates vary from 19.0 per 1,000 in the Coastal Indian population of Annette Island to 3.0 in the predominantly Yupik Eskimo population of the Bethel Service Unit. The Aleut population of St. Paul Island, within the Anchorage Service Unit, has a particularly high prevalence (45.0 per 1,000), confirming the impression of health care providers that this is a high-risk group.

Complications of diabetes are occurring.

10 of 11

DIABETES MELLITUS IN ALASKA NATIVES

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While a systematic review of all records for complications has not been done, the following complications were noted in health summaries December, 1985: amputations, 4; retinopathy, 57, including 3 blind patients; renal failure, 9, with 1 on dialysis; myocardial infarction, 5; and stroke, 12.

In view of the apparent increase in diabetes, screening for gestational diabetes was initiated in some regions in 1986. Preliminary results indicate varying rates by region, but reported rates equal or exceed the US gestational diabetes rate of 2%-3% of all pregnancies.

In conclusion, Type II diabetes is no longer a rare disease among Alaskan Natives. The prevalence among Eskimos appears to have increased 10 to 20 fold from 1957 to 1985. The emergence of this disease in populations appears to be related to dietary changes, more sedentary lifestyle, and weight gain. In view of the history of diabetes in other American Natives, a major effort at prevention through education on nutrition, exercise, and avoidance of obesity, appears

warranted. Currently, the Alaska Native Health Service and Regional Health Corporations are engaging in numerous activities to optimize patient care, initiate screening programs for diabetes, and develop educational materials. In addition, the State of Alaska Epidemiology Office, through state funding and a grant from CDC, has initiated a program aimed at early detection and treatment of diabetic retinopathy and prevention of lower extremity amputations among all Alaskan diabetics. It is hoped that by prevention programs and early intervention, the occurrence of diabetes and its complications can be reduced.

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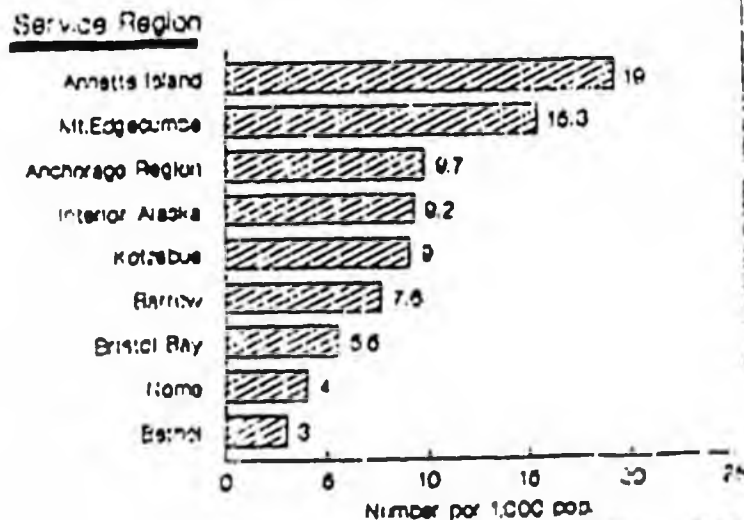
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Table 1. Crude and Age-Adjusted Prevalence Rates per 1,000 of Diabetes in Alaska Natives and U.S. Populations

	Crude Rate	Age-adjusted to 1980 U.S. population - all races
All Alaska Natives	8.3	15.7
Alaska Eskimo	4.6	8.8
Alaska Indian	11.6	22.0
Alaska Aleut	14.9	27.2
U.S., All races		24.7
Minnesota whites, 3 studies		16.0 to 17.3*

* age adjusted to 1970 U.S. white population.

Figure 1. Diabetes Crude Prevalence Rates Among Alaska Natives by Service Region: December, 1985



REMINDER: Meeting on Pneumococcal Disease in Alaska, Friday, May 8, 1987 beginning at 8:00 A.M. at the Sheraton Anchorage Hotel. Contact Dr. Michael Davidson, (907) 271-4011 for additional information.

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FROM THE ARENA
Column for Anchorage Times
for Sunday, 11, March 1990

Fifty years after the start of World War II, we still look back on that long, hot summer of 1939, when war clouds were gathering on the horizon, and wonder why the world leaders couldn't see it coming, and why they didn't take steps to avoid that costly conflict.

Today, war clouds of a different nature are gathering on Alaska's horizon. The threatened conflict won't be one involving bullets and bombs. Instead, it will involve words and ballots. But, this war, too, will be costly. It will not cause the deaths of millions of people. It will, however, cause the death of the unity and pride we Alaskans have with and in each other.

Recently, the Alaska Supreme Court ruled in the case of McDowell v. State, that the provision in Alaska's Constitution requiring that all fish and wildlife resources be managed for "common use" is an important constitutional right for all Alaskans. The plaintiffs in the McDowell case had sought the Court's assistance in obtaining the same Subsistence rights as other Alaskans to participate in the taking of wild game and fish. Before the McDowell decision, those people who lived in parts of the State which had been designated "rural", had a preference to take fish and wildlife for Subsistence over other Alaskan citizens who lived in parts of the State designated "urban". Since the McDowell decision, all Alaskans now have equal Subsistence rights.

The only fly in the ointment, however, comes as a result of Federal law. The Alaska National Interest Lands Conservation Act [ANILCA] requires that Subsistence rights be granted only to "rural" Alaskan residents. This directly conflicts with Alaska's Constitution. Title VIII of ANILCA mandates Federal management of fish and wildlife resources on Federal lands in Alaska if Alaska's Subsistence law does not conform with the provisions of ANILCA. Since our Supreme Court has said that a "rural" preference is unconstitutional under Alaskan law, it is clear that our Subsistence law does not conform with ANILCA.

"Urban" residents have fought for years to overturn the discriminatory Alaskan law denying them the same rights as "rural" Alaskans. Now that "urban" Alaskans have now achieved equality with their "rural" cousins, the next step on the road to equal rights should be to overturn the Federal law on Subsistence. After

all, any thinking person has to realize that the rural preference mandated by ANILCA is also discriminatory, just like Alaska's Subsistence law was, prior to McDowell.

So...What does Alaska's Governor propose to do about the Federal law which makes "urban" Alaskans second class citizens, compared to "rural" Alaskans?

Does he request our Congressional delegation to amend the Federal law to allow Alaskans to manage the fish and wildlife of this State without Federal interference? No.

Does he direct the Attorney General to file a lawsuit, seeking to overturn the discriminatory Federal law? No.

Instead, Governor Cowper proposes amending Alaska's Constitution so that, once again, "rural" Alaskan residents will have priority Subsistence rights over "urban" Alaskans.

What Governor Cowper proposes, for a solution, is that we hold a war. "Let's see who wins", he is saying. "We'll let the 'urbans' fight the 'rurals' at the ballot box next November...winner take all".

Unfortunately, in such a divisive war pitting Alaskan against Alaskan, there will be no winner. Instead, we will all be losers. And what happens if the Constitutional Amendment fails to obtain voter approval? We will be another year behind in settling the Subsistence problem, and more divided than we are now.

Already, battle lines are being drawn. Reinforcements are being summoned. A group from Wisconsin that opposes Indian treaty rights intends to become involved if a state constitutional amendment goes to the voters in November. On the other side, the AFN, turning its back on all Natives who live in "urban" areas, has indicated it supports a Constitutional Amendment giving a "rural" priority in Subsistence. Other Lower 48 hunting, fishing, and outdoors organizations are looking towards getting involved in the coming battle in Alaska.

It still is not too late, however, to stop this war before it starts. Alaskans need not battle one another in a ballot box version of the Civil War. Reasoned minds can still prevail.

What is necessary, of course, to prevent this divisive war this Fall, is for the Alaska Legislature to reject the Governor's call for legislation calling for a Constitutional Amendment. Instead, the Legislature should take the necessary steps to amend

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A PROFESSIONAL CORPORATION

in Congress, or challenge in court, Title VIII of ANILCA.

We need not embark upon a course that will pit Alaskan against Alaskan.

Instead, we should agree to work together, as neighbors and friends, to solve the problems caused by the present Federal law. If we don't start to do so soon, future generations will ask why our leaders didn't take steps to avoid a costly and divisive war over Subsistence.

RECEIVED MAR 12 1990
February 20, 1990

David Jurco
HC-89 Box 8101
Talkeetna, Alaska 99676
733-1049

Re: Subsistence Issue

To: Cliff Davidson

Per our telecom this date, please find enclosed an interesting, apparently original solution to our subsistence problem.

The State of Alaska is the second youngest state in the Union. As such, our laws, regulations, etc., etc., are constantly challenged as being not in conformance with our constitution, and, in many cases, either altered, amended, and/or invalidated by our state and federal courts. One issue which has received virtually perpetual attention in the last decade, and one which I have followed with great interest, is that of subsistence rights to the harvest of our states' fish and game resources. As this is the only state that enjoys an official recognition of those rights, we are forced to set precedents, whether we like it or not.

Without exception, all court decisions to date attest to the states' ineptitude in regulating our fish and game resources consistent with our constitution and laws. All imaginative solutions to the problem have been deemed unfeasible, unconstitutional, and/or illegal. Whosever idea it was to label the Kenai Peninsula as non-rural had to have been born, raised, and residing in the bush. He/she should experience life in New York, Los Angeles, Chicago, or even Seattle prior to making an official distinction between urban and rural. Likewise, whosever idea it was to exclude any Alaska resident from harvest of our fish and game resources failed to read our brief 14,000 word Constitution, which is "one of the best, if not the best, state constitutions ever written".

All this infighting and legal wrangling has effectively eliminated

all but three possible solutions to this apparently insurmountable problem; the light at the end of the tunnel is growing brighter. Solution #1 requires amendment of the Alaska National Interest Lands Conservation Act (ANILCA) so as to conform with state law. As Senator Stevens has stated that he will not introduce legislation aimed at this goal, this solution does not appear feasible. More likely than not, it's impossible. In being the only one of its' kind, that peice of federal legislation enjoyed an abnormally large amount of debate and consideration, from a large number of interest groups, prior to becoming law. It is highly unlikely that it would be amended by any less, if at all.

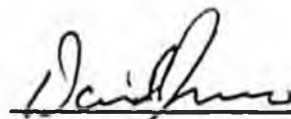
Solution #2 is one that few Alaskans would condone, but has been threatened if our state officials fail to act in an appropriate manner. Just about anyone who is in touch with any form of news media recalls the fiasco on the Kenai River this past summer. That situation was created by Federal Judge Russell Hollands' order, albeit inadvertently, requiring the state to allow the Kenaitzes' a subsistence fishery for the 1989 summer season. Although that probably won't happen again this summer, Judge Holland has threatened to turn all fish and game resource management on federally owned lands over to the U.S. Fish and Wildlife Service if the state fails to permanantly correct the problem. As he has all the power needed to fulfill this promise, it should not be taken lightly. As a large percentage of the land in Alaska is owned by the federal goverment, this would effectively divest the state of managing its' own resources, and should not be considered as even the remotest of possibilities by our state officials.

Solution #3 is the only acceptable solution to the problem. Whether our politicians like it or not is immaterial, although it may mean a radical alteration of their priorities. This solution requires amendment of state law so as to conform with the legal definition of rural, as required by the Kenaitze decision, AND alimination of the states unequal granting of rights and opportunities, as required by the McDowell decision. Federal law (ANILCA) requires granting of a priority right to subsistence harvesters of our fish and game resources, and our state constitution is dedicated to the principle that all res-

idents are equally entitled to this right. Therefore, if all residents of our state were granted the right to harvest as much fish and game as they needed for subsistence purposes, no conflict would exist between the state and federal requirements. However, there would be created a conflict between the various user groups, and it is this inevitable conflict that so distresses our politicians; as well it should. As this concept of resource management has never before been implemented, the ramifications cannot be fully understood, or even contemplated, at this time. Although this would not give rural residents any priority, it would establish subsistence use as a priority over all other uses. This would certainly appease the Kenaitzes', McDowells', Natives, and any other subsistence users.

Although this solution may not be perfect, somebody's bound to bitch about it, it is the only one in sight. Until a better one can be found, or created by Judge Holland, it should be implemented as expeditiously as possible.

Sincerely,



David Jurco

cc: Steve Cowper
Sam Cotten
Tim Kelly
Bettye Fahrenkamp
Lennie Boston-Gorsuch
Michael Crary
Richard Fuster
Kay Wallis
George Jacko
Dick Eliason
John Binkley
Cliff Davidson

Editor
Juneau Empire
Juneau, Alaska

Dear Editor:

Your March 1990 editorial in support of a Constitutional Amendment to permanently segregate Alaska's citizens into urban and rural factions deserves a response.

The issue, how to legally discriminate against the majority of Alaska's residents in the allocation of fish and game, has received considerable attention from the news media, current and past state administrations, legislatures, legislators, Native organizations, organized recreational groups and individuals. It promises to become the dominate theme of the 1990 elections for Governor, State Senators, Representatives and, hopefully, for the U.S. Senator and Representative.

Alaska has struggled without success to find a legal means to discriminate against the majority while the Native element of the minority has largely been successful in gaining exclusive or preferential access to fish and game resources. Prior to the Native Claims Settlement Act of 1971, in which Alaska Natives (persons of $\frac{1}{2}$ or more Native blood) received 44,000,000 acres of land and \$960,000,000 from the federal and state governments in exchange for abolition of all Native aboriginal claims to fish and game, among other items, allocation of fish and game was accomplished through seasons and bag limits, methods and means of take and time and area zones. While not a perfect system, conflicts among users were minimal, the resources were thriving and no one starved though the mental state of cultural well-being could not be measured then as it cannot now.

The Native quest for supremacy over fish and game started immediately after accepting the ANCSA settlement. Perhaps it never stopped. As mentioned earlier they have been extremely successful largely because of consistently supportive state administrations from 1974 onward and a congressional delegation that has yet to see a Native bill they could not embrace. The Native communities, especially the smaller and more remote ones clearly had and have social problems. Alcoholism, drugs, suicide, inadequate education, excessively high birth rates, fetal alcohol syndrome, village locations that preclude economic success and Native corporations created by ANCSA that do not seem to have vision beyond the ends of their well polished desks and Gucci loafers. The leaders cannot see the villages' problems except in terms of what the state and federal governments should do for their less fortunate relatives. The state has responded by pouring billions of dollars into rural areas only to find that these well intended efforts may have worsened the problems.

The reconquest of aboriginal hunting and fishing "rights" received a big impetus in 1972 when Congress enacted the Marine Mammal Protection Act (MMPA). This act usurped all state authority for the management of marine mammals while according all Natives unlimited access to the resource without restriction, except for those of international treaties. The next milestone came from the Hammond administration which clearly was allied to the Native vote. He pushed for federal intervention on federal lands and also pushed for enactment of a

rural subsistence law. He succeeded in 1978 with the passage of Alaska's first comprehensive discriminatory subsistence law. In 1980 the Hammond administration along with the Alaska Congressional Delegation succeeded in including a mandatory rural preference in the allocation of fish and game on federal lands in the Alaska National Interest Lands Act (ANILCA). Since then ANILCA has become the focal point of the fish and game allocation problem. It requires the state to accord a preference to rural Alaska. If the state does not comply the federal government will take over management of subsistence on federal lands. This threat has been used successfully time and time again to coerce the Alaska legislature into passing legislation that illegally discriminates against the majority of citizens. It has also been used successfully in other venues such as the 1982 referendum to repeal the state's "subsistence" statute which was defeated. The threat of federal intervention did not, however, deter the Alaska Supreme Court in 1989 from finding unconstitutional the state subsistence statute. Once again the Governor, this newspaper, the AFN and Native spokesmen all are calling for discriminatory and probably unconstitutional amendments to our constitution in order to keep out the Feds.

How bad are the Feds: bad, but not all bad! They have been an ever increasing presence since statehood. Statehood is an effective milestone by which the refederalization of Alaska can be charted.

Statehood, ANCSA and ANILCA pretty much completed the task of butchering the 363,000,000 acres of land we know as Alaska. Prior to statehood some national forests, military bases, national parks and monuments had been created. Designating land areas as state, Native (private fee simple) and federal special categories inevitably set into motion conflicting goals and objectives for the use and development of the assigned land masses.

The federal government has allocated nearly 130,000,000 acres for national parks, park preserves, monuments and refuges. These are designations on which the federal government has traditionally, probably with adequate legal bases, exerted considerable if not complete control over the allocation of fish and game resources. Another 110 million acres went to the Bureau of Land Management, Forest Service and military. These areas generally are managed by the states in which they are located.

In addition the federal government has primary control over all marine mammals, all migratory birds, high seas fishery management with direct and sometimes beneficial implications to salmon, pollack, crab, etc. and control of all species subjected to international treaties and certain other federal acts, i.e., Rare and Endangered species. At present the state manages indigenous (non-migrating) game on state lands, private (largely Native lands), BLM and Forest Service lands. Often with few federal/state conflicts. The state attempts to co-manage park preserves and refuges but conflicts with their federal counterparts are frequent, i.e., wolf management on park preserves and refuges, moose and furbearer management on the Kenai National Moose Range, etc. No state or federal management occurs in national parks, at least none worthy of the term.

3

The federal management scorecard in some instances is dismal. Marine mammals are essentially unmanaged. Natives slaughter and waste walrus by the thousands with only the ivory and oosik (Osgpenis) removed (Feds finally made a significant case last year). They take polar bear indiscriminately with a preponderance of the take being young and females. Sea lion populations have crashed in portions of Alaska for unknown reasons. Harbor seals and sea otters whose numbers are unregulated and unutilized in many areas are creating serious impacts on local fisheries, especially on stocks of crabs, abalones and salmon.

The jury is still out on federal management of bottom fish stocks but my guess is that pollock and halibut have been adversely impacted.

But perhaps their greatest failure has been waterfowl management. The Alaska Outdoor Council successfully sued the federal government over the illegal mismanagement of cackling Canada and Emperor geese. But upon loss the federal government immediately continued their prior management practices. These include a closed season for everyone except the Natives of the Yukon-Kuskokwim Delta who caused the problem in the first place. These people take the birds in the spring (breeding pairs), summer (egg and flightless young and moulting adults), fall prior to migration. All of this harvest is illegal yet the federal government has entered into agreements allowing for the continued slaughter in the face of a lost lawsuit and in violation of migratory bird treaties!

The federal record in Alaska at least on marine mammals and migratory birds has been one of arrogance and lawlessness. Many people don't realize that no one, not even the courts, can force the federal government to enforce conservation laws.

Obviously, I am not enthusiastic about federal management of fish or game but it is a fact that they already play a major role in the management of the fish and game resource in Alaska.

While the Governor claims to have introduced a proposal to amend the Constitution because he opposes federal intervention in the management of fish and wildlife in fact his administration is actively working at this very moment to expand federal control of game in a racially biased manner.

The state administration is supporting a U.S./Canada treaty to manage the Porcupine caribou herd, our second largest, at this time. The treaty will give the federal government and Natives control of the herd.

The state is also supporting amendments to the U.S./Canada Migratory Bird Treaty to legalize previously illegal spring and summer destruction of waterfowl by Natives.

Ironically, the beneficiaries, Natives, are the major cause of the present depleted status of several species and they are making inroads into other species. For example last spring they killed 40 tons of whistling swans--5,000-8,000 birds. A species no one can legally hunt in Alaska.

One wonders if the Governor remembers that he took an oath to uphold the laws of Alaska for all citizens. Why hasn't the state enforced

its regulations against illegal take of waterfowl in selected portions of the state? A touch of racism by the Governor?

In the few days that have elapsed since your editorial appeared the picture has become quite clear. The Natives have finally revealed their plan for a racial solution to the problem---All Natives should be accorded first priority of use of fish and game---because of cultural needs. This utterly racist viewpoint was most recently put forth by the representatives of 23 communities in Southeast Alaska and placed in concrete when Rep. Wallis of Ft. Yukon put forth a proposed Constitutional Amendment to accomplish apartheid in Alaska. Their recent actions are consistent with the expressed desires of various Native groups during the 1970's, the 1980 debate on ANILCA, the 1982 referendum on subsistence and throughout the McDowell vs. State lawsuit, to mention a few of their activities.

My proposed resolution to the "subsistence" issue follows:

1. Abolish the term "subsistence" from the fish and game regulations as it is no longer pertinent.
2. Manage the fish and game resource so as to perpetuate it using seasons and bag limits, methods and means and time and area zoning. These basic tools provide sufficient flexibility to adequately provide for the complex needs and desires of Alaska's citizenry regardless of their geographic location or ethnic heritage.
3. The legislature should by resolution, and other political means, if necessary, urge the Governor to immediately challenge, in federal court, the offending portions of ANILCA. There is every likelihood that the congressionally mandated urban vs. rural classification of U.S. citizens violates the federal constitution.
4. Concurrent to 3 above, petition our Congressional Delegation to seek immediate amendment to ANILCA by removing the offending language. ANILCA has been amended on the average of once a year since enactment. I realize Senator Stevens opposes such an amendment but he also is responsible to the state.
5. The legislature should reject all resolutions aimed at amending the Constitution to institutionalize classes of citizens for the purpose of allocating fish and game resources.

I recommend that each legislator reread Article I, Sec. I of the Alaska Constitution and the Supreme Court decision, McDowell vs. State Supreme Court, file No. S-2732. Justice Moore comments on page 32---"This is an equal protection case, and an easy one at that." The equal protection section referred to states in part "all persons are...entitled to equal rights, opportunities, and protection under the law..."

While the case under discussion was decided short of invoking the equal protection clause subsequent decisions will necessarily involve Article I, Section I.

Is the legislature seriously contemplating amendments that would establish statewide preferences on a racial or urban vs. rural basis

when such action will only exacerbate the present situation? How will they craft an amendment that will not fly in the face of Article I and/or Article VIII of the State Constitution?

Is it the intent of the legislature to once again exhibit their most famous posture--supine--and leave it to the public to clean up the sorry messes (laws) foisted upon them as we have had to do so many times?

6. If the federal government moves to manage for subsistence uses on federal land sue at the first and every additional opportunity. A determined effort in the courts will hasten resolution of the issue.

7. Lastly, let us not hear a single legislator state "I'm voting for the resolution to amend the Constitution in order to let the voters decide." If any legislator can't do better than that--resign and go home now!

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789-3764

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MARCH 10, 1990
SUBSISTENCE

This is a statement from the Tongass Tribe member, Donald P. Hoff, Jr. In order to speak on the important issue of subsistence you must understand our history of my Tribe. The history that I will speak of, was research by my Eagle/Bear brother Richard Jackson.

Tongass Tribe is one of the 13 geographical divisions of the Tlingit Nation.

Ketchikan is the first town on the panhandle of Southeastern Alaska. It was first settled by the Tongass Tribe, traditionally known as the Taantakwan (the sea lion people). In the middle 1800's it was a prosperous village that flourished near the mouth of a creek. This creek was famous for its runs of hump-back salmon.

The creek and its immediate area were given to the Drifting Ashore House Group, a sub-division of the Gaanax a'di Clan of the Tongass Tribe, by a Sanya man (Cape Fox people) in honor of the wife who had been from the Tongass Gaanax a'di Clan.

As migration of early pioneers to Alaska occurred, settlers increasingly attracted to the richness of the land, encroached on Tongass Land with total disregard to the Tongass Tribe. Natives were looked upon as less than human having little or no intellect.

Time went by and commercial businesses displaced the natives as land became more increasingly valuable to the town. Ultimately a central business district developed. This district completely surrounded the Tongass Tribe Village.

The Tongass Tribe has diminished in size due to the loss of a historical land base. With the loss of land the continuity of the social economy was forever interrupted.

The natives called the village "Kichxan". Many translations have been recorded by the Tribe's is "under the wings of a eagle". This name came because of a big rock in the creek that sprayed like wings when the creek roared with rain water. The name was changed to Ketchikan by the whites after they incorporated and seized most of the land.

According to TLINGIT GENEALOGY, NOTES AND INFORMATION (SHORTRIDGE, LOUIS 1915-1926) clan houses (HIT) of the Taanta-kwaan in Ketchikan on May 8, 1916 include:

Haven
Gaanaxa a'di Clan

(Haven) Yei'l Hit
(Moose) Kaas Hit
(Over the Isthmus) X'agoon Hit

(Golden Eagle) Gidjook Hit
(Ground Squirrel or Marmot)
S'aax Hit

Eagle
Teikweidei' Clan

(Ravine) Shaan'ax Hit
(Bear) Xutz Hit
(Man who married the Brown Bear) Kaats' Hit
(Around the Eagle) Wandaa Hit

Today because of assimilation and disconnection to cultural heritage due to the lack of a land base the Tongass Tribe's Matrilineal Moieties have only one known house group apiece. The Gaanax a'di have only the Yie'l Hit and the Teikweidei have only the Kaata Hit house. Today the Tongass Tribe is only a breath away from extinction if there is not any attempts to restore some semblance of the social economy that once existed.

As of now the Tongass Tribe number approximately 300. They live for the most part in urban locations with a large concentration in the Ketchikan area.

Now here we are fighting for subsistence rights of my people and native people in Alaska. We are talking about "Inherent Rights" the right to subsist as we did for 10,000 years and before.

I am part of the Tlingit Nation and proud of my Cultural Heritage. What right does the State of Alaska or the Federal Government or any one person have to decide whether I can subsist for traditional foods. Anyone is to blame, it has been the exploitation by rapists, capitalists opportunists. The laws are created for further exploitation of all our natural resources.

Prime examples, fish and wildlife game, abalone, sea-cucumber, herring roe, seaweed, shellfish and the list goes on and on. State of Alaska has over regulated.

An article written by Ketchikan Daily News, Friday, March 9, 1990 on Subsistence: Native Preference Proposed. Rep. Kay Wallis, D-Fort Yukon, said that falls short of protecting the native culture. Rep. Wallis introduced a measure that would amend the State Constitution to limit subsistence rights to natives and rural residents. A vote against this amendment is discrimination against the Native People in Alaska. Another form of this discrimination is the States stand that they don't recognize Indian Tribes in Alaska. I don't know what else to call it.

To be real frank, Alaska Federation of Natives that supports the rural definition amendment do not have the right to speak or represent me nor our Tribe because we live in a urban setting. We can't understand their logic. Ketchikan is a Village and our sea has been an unlimited resource for food and economic exchange for thousands of uninterrupted years until now. You take away our subsistence, you will certainly kill my people. You have rocked the "Gum-boot Boat"

The imposition of State regulatory Subsistence Laws on a people who heretofore have never been denied or denied anyone the inherent right to provide for their families. In a few basic words, that is called human rights. Human Rights so not exist if someone or body is a racist. To me the answer is simple, let people subsist. Respectfully submitted for the record.

Aan Kadax Tsoen (my Indian name)
Gaanax a'di Clan
Yei'l Hit
Taantakwan Tribe

Donald F. Hoff, Jr.

RIC DAVIDGE
3501 ADMIRALTY BAY
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349-7329H 563-1912W

SUBSISTENCE - FACT AND FICTION

Why should the State of Alaska amend its constitution, altering fundamental principles of the founding fathers of our state that all fish, wildlife and waters are held for the common use of Alaskans - that there will be no exclusive right of fishery - that the laws of the land will be uniformly applied - that its citizens will have equal rights and that there is a Constitutional right to due process?

Why should the State of Alaska amend its constitution to comply with a federal law, which most Alaskans objected to when passed by Congress, that applies only to federal lands - federal lands that have, as a matter of law, been under federal management since the acquisition of Alaska from Russia?.

Why should the State of Alaska amend its constitution and change the management of STATE lands to comply with a federal law that only applies to Federal lands?

As most of you know I served with the Department of Interior from 1980 to 1986 in a number of capacities. I was an Alaskan before I went to Washington, DC and, unlike some, I returned to Alaska.

While serving as the Assistant to the Director of the US Fish and Wildlife Service one of my responsibilities in 1986 was to Chair a Federal multi-agency task force charged with DRAFTING the Federal Subsistence Resource Management Program. Last month at the request of the Senate I testified before the Senate Resources Committee on that program and have attempted since my departure from the Federal Government (in 1986) to have this regulatory program released to the Alaska public for review and comment. Not because I believe it is the answer to the question of subsistence resource management but because I believe Alaskans have the right, under federal law, to review, comment and have those comments considered BEFORE that program or any other such program is put into place.

Why has our Congressional Delegation not insisted that the federal plan be released? Why have the so called "friends of Alaska" that serve in the Department of Interior not insisted that this program be released? Why have the Alaska Federation of Natives and the Native Village or Regional Corporations not insisted that this program be released? Why has the State

Legislature and our Governor not demanded that this program be released?

FACT - Title VIII of ANILCA only applies to federal lands.

FACT - Congress found that the State of Alaska was competent to manage the fish and game resources on federal lands - however such management is subject to Federal law, management cooperation and ultimate approval. Federal agencies manage the habitat.

FACT - If the State Fish and Game Boards made an allocation decision of fish and game resources on Federal lands that federal agencies did not agree with - it would not be approved. The Federal agencies hold the authority under federal law to approve or deny allocation decisions within federal boundaries.

FACT - Title VIII of ANILCA does not apply to State lands but an amendment of our State Constitution would.

FACT - Title VIII of ANILCA discriminates on the basis of residency.

FACT - A number of Constitutional lawyers including government Solicitors believe that Title VIII is unconstitutional. Why hasn't the State of Alaska challenged its application?

FACT - The Master Memorandum of Agreement on the Management of Fish and Game in Alaska signed by Secretary of Interior Watt and Governor Hammond is ignored by federal agencies. It is an informal regulation that did not comply with federal or state administrative procedural laws. It is in all respects invalid.

FACT - Under federal law the subsistence preference is granted to rural communities who subsist on federal lands (not state or private lands) and this subsistence preference may be lost or regained based on the delineation of a community as "rural".

FACT - Title VIII of ANILCA and its legislative history provides no definition of "rural".

FACT - The only Federal definition of Rural to be found is the one used by the US Census Bureau. A community of 2,500 or less is classified as rural. Any community with a population above 2,500 is classified as urban.

FACT - The Subsistence preference granted by Title VIII is not a property right. The legislative history makes this very clear.

FACT - The Subsistence preference granted by Title VIII is not granted in perpetuity

FACT - The Subsistence preference granted by Title VIII is not granted to Native people but to persons who reside in rural communities.

FACT - The requirement under Title VIII of ANILCA and the Constitutional amendments being considered grant a preference. In order to implement that preference one must ensure that the allocation can be reasonably received by those granted the allocation. How can the State of Alaska or the Federal government ensure a subsistence PREFERENCE allocation of salmon (better than 90% of all the subsistence resources taken) to a small native village at the boarder of Alaska on the Yukon River when the commercial fishing industry will intercept those same runs of salmon in the open ocean?

FACT - A law suit challenging the allocation decisions of the State and/or the Federal agencies - that they do not adequately protect the subsistence preference of rural communities could radically impact Alaska's commercial fishing industry.

FACT - The Department of the Interior is not paying the State of Alaska the funds necessary for the State to manage subsistence resources on federal lands. Since passage of ANILCA in 1980 the federal government has only paid the state about \$1 Million a year. The State expends more than \$5 Million a year on the program.

FACT - The State Supreme Court decision does not apply to Federal lands. Title VIII of ANILCA is still in effect and subsistence preferences will be met on federal lands.

FACT - The assertion by some in Washington and in Juneau that it is impossible to manage Alaska's fish and game resources unless it is done by the State is inconsistent with the history of fish and game management in all other states. Alaska is one fifth the size of the contiguous states. That means that a grouping of states equals the land mass of Alaska. Each of these states manage their fish and game resources quite well and many states have federal areas within their boundaries which are under EXCLUSIVE FEDERAL JURISDICTION meaning the state has no legislative or regulatory authority within the federal boundary.

This management is accomplished through cooperative management agreements between states and federal agencies.

FACT - The trend in the lower 48 is that Federal Courts are reversing previous decisions granting special privileges to Indians off of "Indian lands".

FACT - ANCSA provided federal and state compensation to Alaska Natives for aboriginal rights to land and their resources for the purpose of settling such claims. This compensation took the form of cash and lands which were extended, received and accepted.

FACT - The problem Alaska is facing was created by, what our Supreme Court referred to as a "crude" attempt to solve a complex

allocation question, . . . was created by Congress - NOT BY THE STATE OF ALASKA.

FACT - Federal management of subsistence resources on federal lands is subject to federal law. The preference must be granted. The allocation must be based on sound wildlife management principles. Federal management of subsistence resources is subject to public review and comment.

FACT - The Fish and Wildlife Service must prepare an Environmental Impact Statement before it can implement a Subsistence Resource Management Program. This EIS is also subject to public review and comment.

FACT - Significant portions of federal lands are not open to subsistence hunting or fishing. The people in Glacier Bay National Park have just come to realize that.

I submit to you, as an Alaskan with some knowledge of federal agencies and subsistence law, that federal management of subsistence resources on federal lands will not significantly alter the allocation of fish and game resources as such allocations are already constrained by federal law.

I submit that the management of fish and game resources in the State will not significantly change, as federal and state agencies will enter into cooperative agreements regarding such resources to ensure proper management consistent with state and federal law.

I submit that the federal agencies will be more directly responsible for paying the costs of such management. A cost now unfairly placed on the state budget.

And I submit to you that such an action will isolate those in Washington DC and in Juneau that have personal agendas that are facilitated by conflict - be it racial or political.

Why should the State of Alaska amend its Constitution, one built on the lessons learned from the mistakes of other States, to comply with a federal law that many believe unconstitutional and that only applies to federal lands within which the state has little jurisdiction anyway?

I must conclude that the best solution is to let the federal agencies manage subsistence resources on federal lands, do not amend our State Constitution, and have the State join with private efforts - well underway - to challenge the constitutionality of Title VIII of ANILCA.

P. O. Box 1410
Petersburg, Alaska 99833

March 6, 1990

Dear Representative Menard,

We are on the brink of losing the two most dominant issues over which the struggle for statehood was fought; the domination of our lives by the federal government, and the exclusive and privileged use of our fish and game resources.

The fraud the federal government has imposed upon us under terms of the Alaska National Interest Lands Conservation Act (ANILCA) must not go unchallenged. The "Subsistence" problem and its implications have created the single most divisive issue between Alaskans since statehood. We simply cannot afford any further institutionalization of racial government privilege.

In negotiations for construction of the trans-Alaska pipeline the federal government, the state, the native community and the environmental interests agreed to terms of the Alaska Native Claims Settlement Act (ANCSA). This federal legislation provided that for the payment of nearly one billion dollars and the private ownership of forty million acres that "any aboriginal rights, if they ever existed, are hereby extinguished" All parties understood and accepted these terms.

The subsistence section of ANILCA is the attempt to regain those exclusive and privileged rights which were extinguished under ANCSA. The U.S. Circuit court, in 1980, ruled that "All claims by Alaska Natives against the United States, the State and other persons based on claims of aboriginal right, or based on statute or treaty relating to Native possession, were extinguished".

ANILCA further compounded its problems by including all persons residing in rural Alaska and by defining subsistence in terms which are far beyond that which is commonly used. A "means of support or livelihood". It then threatens to usurp management of our fish and game resources if we fail to comply with all of their demands!

The U. S. Congress deviated from the usual pattern of Indian settlement in drafting the provisions of ANCSA. In addition to the granting of financial aid and title to land, Congress established thirteen Regional Corporations and Village Corporations in a planned effort to bring the Alaskan Indians into the mainstream of modern life both financially and culturally as rapidly and painlessly as possible. For some of the Corporations, that road has been filled with obstacles, but

some of them are prospering. Figures recently released by the U. S. Census Bureau show that the Tlingits of S. E. Alaska now have the highest annual family income of all American natives, and also exceed that of all American families by several hundred dollars a year. By promoting subsistence in a "Customary and Traditional manner", ANILCA contravenes this expressed intent of ANSCA.

ANILCA and our state constitution are not compatible. We must not abandon those principles we fought so hard and long for at the time of statehood by amending our constitution.

We can extricate ourselves from this untenable situation only by being positive in our goals and assertive and aggressive in pursuing them. We cannot please everyone, we must chart a course which is fair and equitable to all and protects the resource from abuse.

We must demand that our Congressional delegation immediately take steps which will lead to changes in the subsistence sections of ANILCA, at the same time our Legislature must amend the state subsistence statute based upon individual characteristics of need.

In its recent decision in which they declared the rural portion of the state subsistence statute to be unconstitutional, the Supreme Court took great pains to point the direction for us to follow when they said....

"a law providing for individual determination eligibility to engage in subsistence taking of fish and game could be sufficiently tailored to the states interest to be constitutional"

In summary:

It is my belief, based upon the history and provisions of our Constitution, ANCSA and ANILCA that:

Any alteration of Article VIII, Sections 3, 15 or 17 of our State Constitution will place Alaskas number two industry, commercial fishing, in jeopardy and could be detrimental to our game resources as well.

All aboriginal titles, including aboriginal hunting or fishing rights, were extinguished. The basis for hunting and fishing rights for Alaska Natives is presently by treaty or statute only.

As the supreme court observed, " There are a substantial number of Alaskan residents residing in areas designated as urban who have legitimate claims as subsistence users. Likewise, there are substantial numbers of Alaskans living in areas designated as rural who have no legitimate claim" They must all be treated equally.

The Federal Government erred in not recognizing that the Alaskan Natives forfeited any aboriginal rights they may have had under terms of ANCSA. This should be challenged in the highest court of the land, and our congressional delegation must begin immediately working toward a revisions of that flawed federal statute.

A law providing for subsistence based upon individual determination of need would be fair, equitable and could be molded to be in compliance with our constitution.

This has become such an emotional issue that many, either believe, or would like us to believe, that if they are not granted "subsistence rights" they are being denied a share of the resource. Fortunately, at the present time, the status of our fish and game resources, in general, are such that our liberal seasons and bag limits provide for the physical, spiritual and cultural needs of the preponderance of present day Alaskans. For those who need or want additional, Personal Use regulations are more than adequate.

Please do your utmost to correct this extremely serious problem in favor of all Alaskans and the fish and game resources of our beautiful and bountiful state.

Sincerely yours,


Loren Croxton

Constitutional Rights - Preservation

Concerning the trapping and relocation of
 First World War veterans, it is not clear to the
 willful, law, and all necessary
 to the people, that even only that
 Socialism, Communism, Terrorism, and
 other totalitarianism. A Constitutional Republic
 Article 4, Section 4, guarantees the republican
 rights of the people as expressed in the Declaration
 of Independence, and secured by the
 of patriots. Rights are based on such, for
 make, form, and moral, all are with
 inalienable rights. No privileged nobility.
 no immunity from good, regardless of age, sex,
 nationality or location, which brings to the
 purpose of government. A Constitutional Republic
 was created to secure our inalienable
 rights. The Declaration of Independence
 states this and the Revolutionary War fought
 to demand them. Individual Liberty, and
 to the willful, law, and all necessary
 purpose of the people. No longer, the
 poor, the King, and the King's laws, who
 a new issue. As the people are the monarch,
 must educate themselves with the monarch
 documents and the Federalist Papers, necessary

1

by our U.S. Supreme Court as authority on the Consti-
tution. Individual Rights to land, animals, fish
and other resources have been usurped. Sustainable
renewable resources based on ~~substant~~ sus-
tainable yield is only common sense. Beetle
infested timber on the Kenai Peninsula show
fallacy of preservation. A waste and a fire
hazard. Much of this timber is rotten. Nothing
lives forever. Conservation utilizes, preserves
wastes. To utilize any resource, directly or
indirectly to support oneself is a basic Right.

Seymour Mills

262-9289

Sterling, Alaska

UNITED FISHERMEN OF ALASKA

TESTIMONY ON SUBSISTENCE

March 10, 1990

My name is Cheryl Sutton and I will be speaking on behalf of the United Fishermen of Alaska as their Subsistence Committee Chair.

Commercial fishermen, and many other Alaskans, stand to suffer great injury if the subsistence issue is not settled in a manner conducive to sound fish and game management practices and non-disruptive allocative priorities. UFA does not support the concept of attempting to settle this issue by means of a constitutional amendment.

UFA has produced an issue paper on subsistence. I would like to briefly state our position and make other comments.

UFA supports a subsistence-based use of fish and game populations in Alaska, but believes that such uses must be bound at historical levels.

The following areas need to be addressed and answers to the questions sought out by the legislature.

- The federal government's jurisdiction over fish and game populations both on federal lands and state lands and waters needs to be clearly defined. For example, does the state or the federal government have jurisdiction over anadromous fish harvested in state waters but spawning within federal areas?
- The consequences or benefits of a "federal" takeover for subsistence management need to be delineated for the public. The public should not be forced to stand in fear of a concept they do not understand.
- The legislature must consider that "rural" will still not be defined in the adoption of the proposed constitutional amendments. There will be no federal definition for rural.
- How will the state handle the Ninth Circuit's ruling relative to the Kenaitzes and its subsequent classification of the Kenai area as rural?
- More clear policy guidance must be provided for the Boards of Fisheries and Game and other regulatory agencies creating subsistence regulations.

NR 10 '90 15-00 LEG. AFFAIRS - SOLDOTNA

• The state must consider the economic and social implications of further reducing the cash economies of coastal Alaska communities through making them more subsistence dependent. The very people these constitutional amendments are designed to help may be harmed more than helped.

• The *commercial* sale of subsistence harvests is increasing. The potential for major growth of subsistence harvests being sold under "customary trade and barter" is very likely. This problem must be closely examined and appropriate safeguards taken to prevent its occurrence.

• The definition of subsistence "use" and subsistence "user" needs to be clarified for the public as it relates to the implementation of Title VIII, Section 804 of ANILCA which affords priority.

• An enforceable and mutually protective definition for priority as it relates to competing fishery uses must be developed.

UFA does not believe that a constitutional amendment is the solution to this problem. We believe the solution is many faceted; however, until answers are provided to the questions we have brought forward, an equitable solution will not be found. We have offered our assistance to work with the administration and legislature, as well as other affected groups. We continue to offer that assistance. The solution to the subsistence issue will not be found unless all parties work together to formulate the best plan possible. This plan should include changes on both the state and federal levels if we are to see a long-term solution.

Thank you for the opportunity to testify. I would be glad to FAX a copy of this testimony and the UFA issue paper if the committee would so desire.

Alaska House Of Representatives

Resource Committee

Subsistence Hearings

March 10, 1990

Dear Representatives

My name is Rick Bierman, I live in Juneau and I am a subsistence user of fish and game. My family and I own land on Shelter Island and we depend on local deer populations as a major source of food. If subsistence regulations are activated locally, people from Haines and Skagway will have priority use of deer populations on Shelter and Douglas Islands, and the local Admiralty area---even if these people are not subsistence users and have never hunted in the Juneau area before.

In 1989, The Alaska Supreme Court ruled rural priority unconstitutional. The court ruling states "One purpose of the 1986 act (like the 1978 act) is to ensure that those Alaskans who need to engage in subsistence hunting and fishing in order to provide for their basic necessities are able to do so." It also states that "many people living in urban areas have legitimate claims as subsistence users, while many people living in rural areas have no legitimate claims." This ruling upholds the right of the State to regulate subsistence but declares that the urban rural distinction is to "crude" a test to determine the actual needs of the people of Alaska.

Like any simple approach to a complicated problem, rural priority sounds much better than it works. To make matters worse, the original legislation has been altered by so many governing bodies, that it, all too often, achieves the opposite effect that it was intended to. A constitutional amendment will etch this injustice in stone.

Protecting the rights of people who depend on wild resources to maintain their existence, is a proper function of government. However, protection must be applied to the people who have legitimate claims, not handed out or withheld solely on the basis of where one chooses to reside. Although, as Governor Cowper pointed out, a more equitable solution will be costly; democracy was not designed to be efficient, it was designed to protect individual rights, and justice has never come cheaply.

It is my opinion that the State's original 1978 statute stressing local priority came closest to the ideal of protecting the individual rights of Alaskans who depend on wild resources. It is the federal government with the enactment of ANILCA, that imposed rural priority over local priority---and it is the federal law not the constitution of Alaska that needs to change; anything short of this, will be a cop-out!

Sincerely

Rick Bierman and family;

P.O. Box 120166

Auke Bay, Alaska 99821

SUBSISTENCE TIME TABLE

- 1959 Alaska becomes a state and for the first time assumes management authority of her fish and game resources. The new constitution abolishes fish traps and specifies that fish and game shall be managed on a sustained yield basis for the common good.
- 1968 The discovery of oil at Prudhoe Bay and subsequent need for a pipeline to the ice free port of Valdez forces the resolution of aboriginal land claims.
- 1971 Alaska Native Claims Settlement Act brings wealth and technology to the bush. This Act extinguishes aboriginal claims to fish and game.
- 1972 Due to circumstance unrelated to Alaska, Congress passes The Marine Mammals Protection Act, seizing management authority of ten species of marine mammals from states and establishing federal Native subsistence policy. Alaska is forced to abandon her extensive conservation programs and the federal government refuses to fund any replacement programs.

Fr. Rick Bierman

- 1974 Construction of the Trans-Alaska Pipeline brings wealth and population growth to urban centers. Increased access to transportation technology fuels tension between urban and rural Alaskans competing for fish and game.
- 1978 Seeing the need to protect subsistence users and fearing federal intervention, Alaska's legislature establishes two tiered subsistence criteria when stocks are low: 1) Subsistence gains priority over other uses 2) when stocks are too low for all subsistence uses, priority is based on A. customary and direct dependence on the stock as a mainstay of livelihood, B. local residency, C. availability of alternate resources.
- 1980 Alaska National Interest Lands Conservation Act designates over one hundred million acres of land as federal preserves and sets "rural" as a requirement for subsistence use on all federal land. The Alaska boards of fish and game adopt rural priority regulations to comply with federal standards and maintain control on federal lands.
- 1982 Voters reject initiative to repeal rural priority. At this time urban residents were still eligible for subsistence as first tier users.

1985 The Alaska Supreme Court decides two cases, one declaring rural priority regulations inconsistent with the 1978 statute and the other forcing the state to establish subsistence regulations even when stocks are plentiful. A federal court rules that urban is any community with a population larger than 2,500 people, and declares everything else rural for subsistence purposes.

1986 To comply with the Court decision the Alaska Legislature re-writes laws governing subsistence establishing rural priority for first and second tier users.

1989 The Alaska Supreme Court rules rural priority unconstitutional. The court ruling states "One purpose of the 1986 act (like the 1978 act) is to ensure that those Alaskans who need to engage in subsistence hunting and fishing in order to provide for their basic necessities are able to do so." It also states that "many people living in urban areas have legitimate claims as subsistence users, while many people living in rural areas have no legitimate claims."

This ruling upholds the right of the State to regulate subsistence but declares that the urban rural distinction is to crude a test to determine the actual needs of the people of Alaska.

To The Subcommittee on Subsistence Hunting

#1. Webster Dictionary; 2a Means of subsisting. b: the minimum (as of food and shelter) necessary to support life. Our game laws takes care of this in (that nothing in these laws will prevent a person from taking game for life or property). Therefore the subsistence question is mute. However.

I harvested my first Caribou, (for meat) in 1966. I am a senior citizen on a social security pension. I live in a Rural area within five miles of Palmer, and I have a P.O. Box.

I know a person that lives at Glennallen, he gross,es over \$100,000 per year, yet he is eligible for subsistence hunting, I am not.

He drives to Eureka, 68 miles away to hunt Caribou.
I would drive to Sheep Mt., 63 miles away to hunt Caribou.

HE CAN -----I CAN'T, WHY???

I feel that I am as much in need and as deserving as 75% of those that are allowed to do so, Be they Native, Lower 48 transplants, or Intercontinental Aliens.

It is my heart felt belief that the seniors that helped to build this Great State should be considered for subsistence rights also.

The three score and ten that I am allotted will be up in eight years, and if my strength holds out I will be able to hunt for that many Caribou, and they will be used, Meat Hide and Antlers.

If Subsistence hunting is to be for Native only I believe that it should be legislated under sever penalty that the only way to take game is by Dead fall, Home made Bow&Arrow, and/or spears hand held or thrown by hand. Transportation to be by Dog Team/ foot or un mechanical boat.

Thank You

Bob Bickel
Bob Bickel
PO Box 129
Palmer, Ak. 99645



Alaska State Legislature

Please enter into the record my testimony to the HOUSE RESOURCES
committee name

committee on SUBSISTENCE, dated MAR 1, 1990
bill/subject

I STRONGLY OPPOSE THE GOVERNOR'S DECISION TO ASK FOR A CONSTITUTIONAL AMENDMENT TO PROVIDE A SUBSISTENCE PRIORITY FOR RURAL RESIDENTS.

THE FRAMERS OF THE CONSTITUTION PUT A LOT OF THOUGHT AND EFFORT INTO THE ORIGINAL LANGUAGE, STRESSING GOOD MANAGEMENT, PERPETUATING RESOURCES, AND PROVIDING EQUAL OPPORTUNITY FOR USE. THEIR WORK HAS BEEN FRAMED BY CONSTITUTIONAL SCHOLARS, AND RATIFIED BY CONGRESS & THE PEOPLE OF THE STATE. NOW IT IS THREATENED BY SPECIAL INTEREST POLITICS. THE GOVERNOR WON'T BE AROUND TO TAKE THE POLITICAL HEAT, BUT YOU FOLKS WILL.

THE MOTIVATION FOR THE 1978 STATE SUBSISTENCE LAW WAS MISREPRESENTED BY BEHNKE. IT RESTED ON 2 ARGUMENTS - BOTH SPECIOUS: (1) IT WILL SAVE ALASKA NATIVES' CULTURES; (2) IT WOULD FORESTALL A FEDERAL LAW IN

Signed: SUBSISTENCE. NO LAW CAN SAVE A CULTURE, ONLY THE PARTICIPANTS IN IT CAN. THE STATE LAND WAS USED BY JON MITCHELL, NORM COHEN, ET AL TO GET A FEDERAL LAW.

RICHARD H. BISHOP - SELF
Representing (Optional)

1333 BUS'S BRIND, FAIRBANKS AK 99709
Address

907-455-6151
Phone No.



Alaska State Legislature

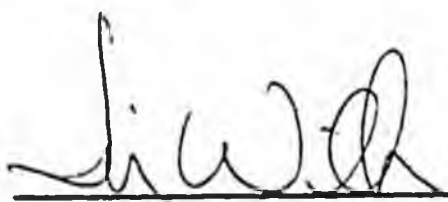
Please enter into the record my testimony to the House Resources
committee name

committee on Subsistence , dated March 10, 1990
bill/subject

I oppose allowing subsistence use of Alaska's resources to only Native People. I believe that writing a law that allows or denies anything along racial lines is unfair, will promote racial discord, and will ultimately be struck down by the courts.

Subsistence is confusing. The only way I believe that the problem of subsistence can be solved is to eliminate subsistence. This may mean that Alaska will have to slug it out with the federal government to find out who will manage Alaska's resources.

The stated needs of Alaska's native population for fish and wildlife for food can and should be satisfied during posted seasons. Seasons and bag limits are liberal enough now to provide for all the needs of any family.

Signed:  (Jim Wilkins)

Testifier

Representing myself

Representing (Optional)

PO Box 871641 Wasilla, Alaska 99687

Address

376-2324

Phone No.

*Testimony of Noel Woods
The MATANUSKA Valley SPORTSMEN support The Alaska Outdoor Council
ON THIS ISSUE.*

THERE ARE OTHER OPTION'S THAN A CONSTITUTIONAL ADMENDMENT TO ALLOW RURAL PREFERENCE.

(a) CHANGE FISH AND GAME HARVEST REGULATION'S TO ACCOMODATE RURAL RESIDENT HARVEST. (1) THIS HAS BEEN DONE EVER SINCE STATEHOOD BY DIVIDING THE STATE INTO MANAGEMENT UNITS AND SETTING SEASON'S AND LIMITS THAT MAY BE VERY DIFFERENT FOR EACH UNIT. IT HAS BEEN CUSTOMARY THAT THE MORE REMOTE AND LESS POPULATED UNITS HAVE THE MOST LIBERAL HARVEST AND LONGEST SEASONS.

(2) BY PROPER MANAGEMENT OF HABITAT AND PREDATORS WITH CONCERN FOR MAXIMIM BENEFIT OF PEOPLE (ARTICLE 8, SECTION 2, ALASKA STATE CONSTITUTION) WE HAVE BEEN SHOWN BY SWEDEN AND OTHER COUNTRY'S THAT HARVEST FOR USE BY PEOPLE AS FOOD (SUBSISTENCE) CAN BE INCREASED DRAMATICLY BY MANAGEMENT OF FORESTS AND OTHER HABITAT. THIS ONLY REQUIRES THAT KNOWLEDGE AND CO-OPERATION BE SUBSTITUTED FOR STUPIDITY AND ARROGANCE - - AN APPARANTLY DIFFICULT TRANSITION.

(b) THE FEDERAL GOVERNMENT IS INSISTING ON SUBSISTENCE PRIORITY OR THEY WILL TAKE OVER OUR FISH AND GAME ON FEDERAL LANDS. THIS MAY INTEREST OTHER WESTERN STATES WITH LARGE AREAS OF FEDERAL OWNERSHIP. PERHAPS THE FEDS CAN COME UP WITH A MANAGEMENT PLAN THAT COMES WITHIN THE FEDERAL LAWS AGAINST ARBITRARY CLASSIFICATION OR DISCRIMINATION. SINCE THEY MUST HAVE SOME IDEA OF WHAT THESE REGULATIONS WOULD BE - PERHAPS A CONSULTATION WOULD BE IN ORDER.

I FAIL TO SEE HOW ONE CAN RECONCILE THIS PROPOSED ADMENDMENT WITH THE DECLARATION OF RIGHTS OF THE CONSTITUTION OF THE STATE OF ALASKA ARTICLE I, SECTION I, I QUOTE " THAT ALL PERSONS ARE EQUAL AND ENTITLED TO EQUAL REGHTS , OPPORTUNITIES , AND PROTECTION UNDER THE LAW. "

AND THE UNITED STATES CONSTITUTION IS QUITE CLEAR ON THIS WITH ITS FOURTEENTH ADMENDMENT WHICH READS IN PART " NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH - - SHALL DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS. "

THE ORIGINAL INTENT HAS EXPANDED BY PRACTICE INTO A GENERAL GUARANTEE AGAINST ARBITRARY CLASSIFICATION AND OTHER FORMS OF DISCRIMINATION. ALSO IT IS HELD AS CONTAINED WITHIN "DUE PROCESS" OF LAW AND THEREFORE BINDING UPON THE FEDERAL GEVERNMENT AS WELL.

SO NOW LETS HAVE THE ELECTED REPRESENTATIVES - BOTH FEDERAL AND STATE - EXPLAIN EXACTLY HOW THIS PROPOSED ADMENDMENT CONFORMS TO BOTH CONSTITUTIONS ALASKA'S AND UNITED STATES.

I HAVE A PROBLEM WITH THOSE WHO PROPOSE LAWS WITHOUT INCLUDING THE EXACT DEFINITION OF THE WORDS THEY ARE INCLUDING IN THE PROPOSAL.

IN ADDITION TO THE LACK OF DEFINITION OF SUBSISTENCE, A DEFINITION OF RURAL RESIDENT - PLEASE-

WILL THIS PROPOSED AMENDMENT RETURN TO THE SILLY RULES THAT EXISTED BEFORE MCDOWELL vs ALASKA WHEREIN A BANKING OFFICER IN GLENALLEN WAS ENTITLED TO SUBSISTENCE HUNT AND FISH BUT AN OUT OF WORK, POVERTY LEVEL RESIDENT OF SUTTON WAS NOT ENTITLED.

ANOTHER DEFINITION - PLEASE - THIS TIME A PHRASE, CUSTOMARY AND TRADITIONAL USE, IF MY FATHER, WHO WAS A RESIDENT OF ALASKA, FED HIS FAMILY WITH THE NATURAL RESOURCES OF THE TERRITORY BY HUNTING AND FISHING AND I (HIS SON) MARRIED AND FED MY FAMILY WITH MY EXPERTISE AT HUNTING AND FISHING AND NOW MY SON - MARRIED WITH CHILDREN - FEEDS HIS FAMILY BY HUNTING AND FISHING, AND WE ARE ALL RESIDENTS OF ALASKA, ENTITLED TO EQUAL OPPORTUNITIES. ARE WE CUSTOMARY OR TRADITIONAL USERS ?

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: RYLE AND MARILYN RADKE

TITLE:

ADDRESS: 2136 AIRPORT WAY, SUITE 1

CITY: FAIRBANKS

ZIP: 99701

PHONE: 452-1250

BILL NO: HJR 88

SUBJECT: SUBSISTENCE USES OF FISH & WILDLIFE

MESSAGE: WE ARE OPPOSED TO CHANGE IN THE STATE CONSTITUTION. WE FEEL THAT FISH AND WILDLIFE RESOURCES SHOULD BE MANAGED FOR THE COMMON USE. STATE CONSTITUTION CURRENTLY GIVES EQUAL OPPORTUNITY TO ALL RESIDENTS.

POMID: 07105222

DATE: 03/10/90

TIME: 10:52:22

LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHRENKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: RICK SCHIKORA

TITLE:

ADDRESS: 1416 GILLAM WAY

CITY: FAIRBANKS

ZIP: 99701

PHONE: 456-1566

BILL NO:

SUBJECT: SUBSISTANCE

MESSAGE: PLEASE DO NOT SUPPORT AMENDING THE STATE CONSTITUTION TO GIVE A RURAL PREFERENCE TO SUBSISTANCE. THE STATE MUST GET SOME BACKBONE AND FIGHT THE FEDERAL ANILCA MUST BE CHANGED.

POMID: 07114620

DATE: 03/10/90

TIME: 11:46:20

LIONAME: FAIRBANKS LIO

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SHULTZ	FAHRENKAMP
BOYER	FRANK
DAVIS, M.	COGHILL
KOPONEN	
MILLER	
SHARP	
MENARD	
JACKO	
FOSTER	
NAVARRE	
FURNACE	
HUDSON	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JIM WEIDNER
 TITLE:
 ADDRESS: 5479 CHENA HOT SPRINGS RD.
 CITY: FAIRBANKS ZIP: 99712
 PHONE: 488-6366
 BILL NO: HJR 13
 SUBJECT: CONST. AMENDMENT: EDUCATION ENDOWMENT
 MESSAGE: CAN SOMEONE EXPLAIN TO ME HOW WE CAN SPEND 50 PERCENT OF THE EARNINGS PERMANENT FUND FOR INFLATION PROOFING, 50 PERCENT FOR DIVIDENDS, AND 40 PERCENT FOR THE EDUCATION ENDOWMENT AND NOT HARM THE INFLATION PROOFING OR THE DIVIDEND PROGRAM. PLEASE DROP ME A LETTER BY NEXT SATURDAY, MARCH 17, 1990.

POMID: 07111758
 DATE: 03/10/90
 TIME: 11:17:58
 LIONAME: FAIRBANKS LIO

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BARNES	BOUCHER	ADAMS
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DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHRENKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAHACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: TERRY MIELKE
 TITLE:
 ADDRESS: POB 870988
 CITY: WASILL ZIP: 99687
 PHONE: 376-1321
 BILL NO: HJR 74
 SUBJECT: CONST. AMDT: SUBSISTENCE PREFERENCE
 MESSAGE: & HJR 88, HJR 90: I AM STRONGLY OPPOSED TO ANY CONSTITUTIONAL AMENDMENT CALLING FOR RURAL SUBSISTENCE PRIORITY.

POMID: 14133845
 DATE: 03/10/90
 TIME: 13:38:45
 LIONAME: MAT-SU LIO

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LARSON	KERTTULA
MENARD	SZYMANSKI
JACKO	FAHRENKAMP
FOSTER	ELIASON
NAVARRE	FRANK
FURNACE	HALFORD
SHARP	STURGULEWSKI
HUDSON	ZHAROFF
DAVIS, M.	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MARTY RINIO
 TITLE:
 ADDRESS: P.O. BOX 83
 CITY: ESTER ZIP: 99725
 PHONE: 479-6950
 BILL NO: HJR 88
 SUBJECT: SUBSISTENCE USES OF FISH & WILDLIFE
 MESSAGE: DON'T SELL US OUT LIKE GOVERNOR COWPER AND FURTHER DIVIDE THE PEOPLE OF ALASKA.

POHID: 07150041
 DATE: 03/10/90
 TIME: 15:00:41
 LIONAME: FAIRBANKS LIO

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BOYER	FAHRENKAMP
DAVIS, H.	FRANK
KOPONEN	COGHILL
MILLER	
SHARP	
MENARD	
JACKO	
FOSTER	
NAVARRE	
FURNACE	
HUDSON	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: STEVE STRUBE
 TITLE:
 ADDRESS: POB 521155
 CITY: BIG LAKE ZIP: 99652
 PHONE: 892-7760
 BILL NO: HJR 74
 SUBJECT: CONST. AMDT: SUBSISTENCE PREFERENCE
 MESSAGE: & 88 & 90: I STRONGLY OPPOSE THESE RESOLUTIONS AND IT IS MY HOPE THAT REP MENARD WILL NOT SUGGEST PASSAGE OF THESE OR ANY RESOLUTION THAT MAKE DISCRIMINATION CONSTITUTIONAL. I AM RELYING ON YOU, CURT TO TABLE THIS. THIS IS NOT THE PROPER WAY TO SOLVE THE SUBSISTENCE PROBLEM.

POHID: 14144408
 DATE: 03/10/90
 TIME: 14:44:08
 LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES SENATORS

LARSON	KERTTULA
MENARD	SZYMAWSKI
JACKO	FAHRENKAMP
FOSTER	ELIASON
NAVARRE	FRANK
FURNACE	HALFORD
SHARP	STURGULEWSKI
HUBSON	ZHAROFF
DAVIS, H.	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIOSON

NAME: JIM PAGE
 TITLE:
 ADDRESS: POB 872573
 CITY: WASILLA ZIP: 99687
 PHONE: 376-7721
 BILL NO: HJR 74
 SUBJECT: CONST. AMDT: SUBSISTENCE PREFERENCE
 MESSAGE: & 88 & 90: I SUPPORT EQUAL RIGHTS FOR ALL ALASKANS. I OPPOSE
 ANY CONSTITUTIONAL AMENDMENT WHICH PROVIDES SPECIAL PRIVLIIGE TO
 ANY GROUP.

POMID: 14145207
 DATE: 03/10/90
 TIME: 14:52:07
 LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES SENATORS

LARSON	KERTTULA
MENARD	SZYMANSKI
JACKO	
FOSTER	
NAVARRE	
FURNACE	
SHARP	
HUDSON	
DAVIS, M.	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIOSON

NAME: JIM PAGE
 TITLE:
 ADDRESS: POB 872573
 CITY: WASILLA ZIP: 99687
 PHONE: 376-7721
 BILL NO: HJR 74
 SUBJECT: CONST. AMDT: SUBSISTENCE PREFERENCE
 MESSAGE: & HJR 88 & HJR 90: I OPPOSE ALL RESOLUTIONS TO THE SUBSISTENCE I
 WE'RE CIRCUMVENTING THE MCDOWELL DECISION OF 1989 IN WHICH SUBSISTENC
 RULED UNCONSTITUTIONAL. WHY DON'T WE FACE THE MUSIC AND WORK FROM T
 SUPREME COURT DECISION. MANAGE ALL RESOURCES FOR THE BENEFIT OF ALL
 ALASKANS! EVERYONE WILL WIN INSTEAD OF BEING LOSERS.

POMID: 14145641
 DATE: 03/10/90
 TIME: 14:56:41
 LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES SENATORS

LARSON	KERTTULA
MENARO	SZYMANSKI
JACKO	
FOSTER	
NAVARRE	
FURNACE	
SHARP	
HUDSON	
DAVIS, M.	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JACK DIORICKSON

TITLE:

ADDRESS: POB 712

CITY: PALMER

PHONE: 745-3496

BILL NO: HJR 74

SUBJECT: CONST. AMDT: SUBSISTENCE PREFERENCE

MESSAGE: & 88 & 90: I OPPOSE ALL PROPOSALS TO AMEND THE CONSTITUTION OF THE STATE OF ALASKA. THERE IS NOT ANYTHING INHERENTLY WRONG WITH THE CONCEPT OF SUBSISTENCE. THE ERROR IS IN ATTEMPTING TO LIMIT THE USERS. EVERY PERSON IN THE STATE OF ALASKA HAS THE RIGHT TO USE ITS RESOURCES WITHIN STATE REGULATIONS.

ZIP: 99645

POMID: 14150230

DATE: 03/10/90

TIME: 15:02:30

LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

MEHARD	JACKO	FAHRENKAMP
FOSTER	NAVARRE	KERTTULA
FURNACE	GOLL	ELIASON
GRUENBERG	DAVIS, M.	FRANK
ELLIS	MILLER	HALFORD
MARTIN	BOYER	STURGULEWSKI
DAVIS, C.	BOUCHER	ZHAROFF
MACLEAN	DONLEY	RODEY
HANLEY	ZAWACKI	FAIKS
FINKELSTEIN	PETTYJOHN	PEARCE
KUBINA	LARSON	SZYMAWSKI
GRUSSENDORF	HUDSON	POURCHOT
LEMAN	HOFFMAN	ADAMS
SWACKHAMMER	WALLIS	KELLY
KOPONEN	ULMER	UEHLING
BROWN	SHULTZ	FISCHER
RIEGER	PHILLIPS	DUNCAN
BARNES		JONES

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: LINDA H SHUE

TITLE:

ADDRESS: HC 02 BX 7636

CITY: PALMER

PHONE: 745-4911

BILL NO: HJR 74

SUBJECT: CONST. AMDT: SUBSISTENCE PREFERENCE

MESSAGE: & HJR 88 HJR 90: I SUPPORT EQUAL RIGHTS FOR ALL ALASKANS. I OPPOSE ANY CONSTITUTIONAL AMENDMENT WHICH PROVIDES SPECIAL PRIVILEGE TO ANY GROUP. THE STATE BELONGS TO ALL OF US AND WE ALL NEED TO BE TREATED AS EQUALS.

ZIP: 99645

POMID: 14151611

DATE: 03/10/90

TIME: 15:16:11

LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES SENATORS

LARSON	KERTTULA
MEHARD	SZYMAWSKI
BARNES	BINKLEY
BOUCHER	UEHLING
JACKO	DUNCAN
FOSTER	FISCHER
NAVARRE	FRANK
FURNACE	PEARCE
SHARP	ZHAROFF
HUDSON	FAHRENKAMP
DAVIS, M.	ELIASON
GOLL	HALFORD
GRUENBERG	STURGULEWSKI
ELLIS	RODEY
MILLER	FAIKS
MARTIN	POURCHOT

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: ROBERT C HIELKE
 TITLE:
 ADDRESS: HC 01 BOX 6020
 CITY: PALMER
 PHONE: 745-3119
 BILL NO: HJR 74

ZIP: 99645

SUBJECT: CONST. AMDT: SUBSISTENCE PREFERENCE
 MESSAGE: & 88 & 90: ALL ALASKANS ARE ENTITLED TO THE SAME RIGHTS. THESE BILLS
 WOULD ESTABLISH AN ELITE GROUP BASED ON LOCATION AND ETHNIC ORIGIN.
 SUBSISTENCE SHOULD BE REDEFINED. IF IT IS TO BE TRADITIONAL, SO
 SHOULD METHODS OF GATHERING GAME BE TRADITIONAL. REMOVE ALL
 SUBSISTENCE FROM ALASKAN LAWS.

POHID: 14155927
 DATE: 03/10/90
 TIME: 15:59:27
 LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES SENATORS

LARSON	KERTTULA
MENARD	SZYMANSKI
JACKO	FAHRENKAMP
FOSTER	ELIASON
NAVARRE	FRANK
FURNACE	HALFORD
SHARP	STURGULEWSKI
HUDSON	ZHAROFF
DAVIS, M.	ROOEY
GOLL	FAIKS
GRUENBERG	PEARCE
ELLIS	
MILLER	
MARTIN	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: ROBERT D HIEIKE
 TITLE:
 ADDRESS: POB 870988
 CITY: WASILLA
 PHONE: 376-1321
 BILL NO: HJR 74

ZIP: 99687

SUBJECT: CONST. AMDT: SUBSISTENCE PREFERENCE
 MESSAGE: & 88 & 90: I AM STRONGLY OPPOSED TO ANY CONSTITUTIONAL AMENDMENT
 ALLOWING SUBSISTENCE PRIORITY FOR ANY GROUP. THE STATE SHOULD SUE THE
 FEDERAL GOVERNMENT IF IT ATTEMPTS TO TAKE OVER FISH AND GAME MANAGEMENT
 DO NOT DIVIDE THE POPULATION INTO CLASSES OF CITIZENS.

POHID: 14160512
 DATE: 03/10/90
 TIME: 16:05:12
 LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES SENATORS

LARSON	KERTTULA
MENARD	SZYMANSKI
JACKO	FAHRENKAMP
FOSTER	ELIASON
NAVARRE	FRANK
FURNACE	HALFORD
SHARP	STURGULEWSKI
HUDSON	ZHAROFF
DAVIS, M.	
GOLL	
GRUENBERG	
ELLIS	
MILLER	
MARTIN	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: RONALD D. GIRARD
 TITLE:
 ADDRESS: 4412 E 7TH STREET
 CITY: ANCHORAGE, AK
 PHONE: 337-2185
 BILL NO: HJR 74
 SUBJECT: SUBSISTENCE
 MESSAGE: I AM FOR EQUAL USE OF RENEWABLE RESOURCES FOR ALL ALASKANS. ALL ALASKANS SHOULD BE EQUAL. NO PRIORITY GROUPS SHOULD BE FAVORED OVER OTHERS. I AM AGAINST HOUSE RESOLUTIONS PROPOSING CHANGES TO THE STATE CONSTITUTION.
 /JM

ZIP: 99508

POMID: 03125704
 DATE: 03/12/90
 TIME: 12:57:04
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DOHLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHRENKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	HARTIN	KERTTULA
MENARD	HILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMAWSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: PHILIP J. DEMBROSKI
 TITLE:
 ADDRESS: 733 LORI DRIVE
 CITY: ANCHORAGE, AK
 PHONE: 333-1058
 BILL NO: HJR 74
 SUBJECT: SUBSISTENCE
 MESSAGE: I STRONGLY OPPOSE HOUSE JOINT RESOLUTIONS 74, 88 AND 90. I FEEL THE NATURAL RESOURCES BELONG TO AND SHOULD BE SHARED EQUALLY BY ALL ALASKANS.
 /JM

ZIP: 99504

POMID: 03130658
 DATE: 03/12/90
 TIME: 13:06:58
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DOHLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHRENKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	HARTIN	KERTTULA
MENARD	HILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMAWSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: KAREN BREWSTER
TITLE:
ADDRESS: BOX 1153
CITY: BARROW ZIP: 99723
PHONE: 852-5052

BILL NO:
SUBJECT: SUBSISTENCE
MESSAGE: PLEASE SUPPORT AMENDING THE ALASKA CONSTITUTION TO AUTHORIZE A
SUBSISTENCE PRIORITY FOR RURAL RESIDENTS. HJR 88/SJR 78 BEST PROTECTS RURAL
SUBSISTENCE LIFESTYLES AND CULTURES. ETHNICITY AND INCOME LEVEL SHOULD NOT BE
USED FOR SUBSISTENCE QUALIFICATION. ONCE STATE SUBSISTENCE LAW COMPLIES WITH
ANILCA, THEN WILL BE THE TIME TO ARGUE SPECIFIC DEFINITIONS.

POMID: 04132607
DATE: 03/12/90
TIME: 13:26:07
LIONAME: BARROW INFO OFFICE

COPIES: REPRESENTATIVES SENATORS

MACLEAN	ADAMS
MENARD	FAHRENKAMP
JACKO	KERTTULA
FOSTER	ELIASON
NAVARRE	FRANK
FURNACE	HALFORD
SHARP	STURGULEWSKI
HUDSON	ZHAROFF
DAVIS, M.	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: HAROLD AND MARYNE DRAPER
TITLE:
ADDRESS: 2020 RIVERVIEW DR.
CITY: FAIRBANKS ZIP: 99709
PHONE: 474-9612

BILL NO:
SUBJECT:
MESSAGE: WE STRONGLY OPPOSE THE GOVERNOR'S SUGGESTION OF A CONSTITUTIONAL
AMENDMENT AS A WAY TO CORRECT THE WRONG OF THE PRESENT SUBSISTENCE BILL.

POMID: 07133920
DATE: 03/12/90
TIME: 13:39:20
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES SENATORS

MENARD	FAHRENKAMP
JACKO	KERTTULA
FOSTER	ELIASON
NAVARRE	FRANK
FURNACE	HALFORD
SHARP	STURGULEWSKI
HUDSON	ZHAROFF
DAVIS, M.	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: ADAM POLNASZEK
 TITLE:
 ADDRESS: 924 GILLIAM
 CITY: FAIRBANKS ZIP: 99701
 PHONE: 452-2834
 BILL NO:
 SUBJECT: SUBSISTENCE
 MESSAGE: I REQUEST YOUR SUPPORT IN VOTING AGAINST THE SUBSISTENCE BILL. ALL ALASKA SHOULD BE TREATED EQUALLY.

POMID: 07161926
 DATE: 03/12/90
 TIME: 16:19:26
 LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHREIKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DALE HYDER
 TITLE:
 ADDRESS: 10233 CHICKALOON
 CITY: EAGLE RIVER, AK ZIP: 99577
 PHONE: 694-3354
 BILL NO:
 SUBJECT: CONSTITUTIONAL AMENDMENT ON SUBSISTENCE
 MESSAGE: I STRONGLY OPPOSE THE PROPOSED AMENDMENTS TO THE STATE CONSTITUTION ESTABLISHING RURAL RESIDENTS OR ANY SEGMENT OF THE POPULATION TO PRIORITY USE OF THE STATE'S NATURAL RESOURCES AND FISH AND GAME. WE SHOULD CONTINUE TO STRIVE FOR EQUALITY. /JM

POMID: 03155627
 DATE: 03/12/90
 TIME: 15:56:27
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHREIKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DOUGLAS BROWN
 TITLE:
 ADDRESS: 1221 W 80TH
 CITY: ANCHORAGE
 PHONE: 276-3363
 ZIP: 99518
 BILL NO: HB 396
 SUBJECT: PROBATION OFFICER 20 YEAR RETIREMENT
 MESSAGE: I ENCOURAGE YOU TO SUPPORT HB 396, GIVING PROBATION OFFICERS PARITY WITH PEACE OFFICERS IN THE RETIREMENT SYSTEM. WE ARE IN CONSTANT CONTACT WITH CRIMINALS, PLACING OUR SAFETY AND WELFARE IN JEOPARDY, PERFORMING POLICE FUNCTIONS TO PROTECT THE PUBLIC. THIS RETIREMENT WILL HELP RETAIN THE EXPERIENCE WE NOW LOSE DUE TO HIGH TURNOVER IN THIS DEMANDING JOB. I ENCOURAGE YOU TO SUPPORT HB396. -TP

POMID: 03164532
 DATE: 01/16/90
 TIME: 16:45:32
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES

BARNES	BOUCHER
BOYER	BROWN
COLLINS	COTTEN
DAVIS, C.	DAVIS, M.
DONLEY	ELLIS
FINKELSTEIN	FOSTER
FURNACE	GOLL
GRUENBERG	GRUSSENDORF
HANLEY	HOFFMAN
HUDSON	JACKO
KOPONEN	KUBINA
LARSON	LEMAN
MACLEAN	MARTIN
MENARD	MILLER
NAVARRE	PETTYJOHN
PHILLIPS	PIEGER
SHARP	SHULTZ
SHACKHAMMER	TAYLOR
ULMER	WALLIS
ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: GARY SINKOLA
 TITLE:
 ADDRESS: PO BOX 84293
 CITY: FAIRBANKS
 PHONE: 474-8071
 ZIP: 99708
 BILL NO:
 SUBJECT: SUBSISTENCE
 MESSAGE: RAMONA BARNES AT FIRST GLANCE IT APPEARS THAT YOUR SUBSISTENCE BI IS FAIR TO ALL ALASKANS. REMEMBER AN OLD ALASKAN MOTTO - WE DON'T GIVE A DAMN HOW THEY DO IT OUTSIDE. THE FEDS GAVE ALASKA A POLITICAL JUGGERNAUT. EOH/MJD/C

POMID: 07101237
 DATE: 01/16/90
 TIME: 10:12:37
 LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHREINKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	PIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SHACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JAN KLUSKA
 TITLE:
 ADDRESS: 7736 SNOWVIEW DRIVE
 CITY: ANCHORAGE ZIP: 99507
 PHONE: 349-5956
 BILL NO:

SUBJECT: POLISH FISHERMAN
 MESSAGE: I AM CONCERNED ABOUT THE POLISH FISHERMAN'S DEPORTATION. I AM A
 CITIZEN, ALSO POLISH, AND I THINK THAT THEY ARE NOT ABUSING HOSPITALITY OF THIS
 GOVERNMENT BECAUSE THEY ARE NOT COSTING US THROUGH ANY OF OUR PROGRAMS. THEY
 ARE HARD WORKERS AND DON'T ASK FOR WELFARE. ALL HELP THEY RECEIVE COMES FROM
 POLAND. I THINK THAT IT WOULD BE TO OUR ADVANTAGE TO LET THEM STAY. THE MAIN
 POWER IN POLAND IS STILL COMMUNIST. /DJ

POMID: 03154935
 DATE: 01/15/90
 TIME: 15:49:35
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DOHLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHRENKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	ROEY
SHARP	SHULTZ	STURGULEWSKI
SHACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: VERA JOHNSON
 TITLE:
 ADDRESS: 625 W 45TH AVE., APT 3
 CITY: ANCHORAGE ZIP: 99503
 PHONE: 265-8880
 BILL NO:

SUBJECT: POLISH DEFECTORS IN ALASKA
 MESSAGE: EASTERNERS AND MEXICANS BY FAR OUTNUMBER THE FEW POLISH DEFECTORS
 THIS COUNTRY, SO WHY IS IMMIGRATION SENDING 60 OF THEM FROM ANCHORAGE BACK TO
 POLAND? THEY ARE VERY HARD WORKERS, AND VERY NICE. ALSO, MOST OF THEM ARE FI
 MEN, AND SO ARE NOT TAKING ANY JOBS AWAY FROM AMERICAN MEN BECAUSE AMERICAN
 MEN DON'T CARE TO WORK SO HARD FOR SUCH SMALL WAGES. MANY OF THESE MEN ARE
 STILL AFRAID TO RETURN TO POLAND.

POMID: 03154538
 DATE: 01/15/90
 TIME: 15:45:38
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DOHLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHRENKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	ROEY
SHARP	SHULTZ	STURGULEWSKI
SHACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JOHN RYBCZYNSKI
 TITLE:
 ADDRESS: 3840 YOUNG STREET
 CITY: ANCHORAGE ZIP: 99508
 PHONE: 563-3192

BILL NO:
 SUBJECT: POLISH FISHERMEN
 MESSAGE: I WAS IN THE SAME SITUATION A FEW YEARS BACK. NOW I AM A U.S. CITIZEN AND I AM PROUD. I THINK THAT IF THE OTHER POLISH FISHERMEN ARE LET IN THE UNITED STATE, THEY WILL ALSO BE A CITIZEN LIKE ME. THEY ARE HARD WORKERS AND THEY WILL BUILD A FUTURE FOR A GOOD ALASKA. /BN

POMID: 03140610
 DATE: 01/15/90
 TIME: 14:06:10
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHRENKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SHACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIOSON

NAME: MR. DEMIIS DRAPER
 TITLE:
 ADDRESS: 3703 WESTMINSTER WAY
 CITY: ANCHORAGE ZIP: 99508
 PHONE: 338-3486

BILL NO: HJR 63
 SUBJECT: DEPORTATION OF POLISH SEAMEN
 MESSAGE: PLEASE ALLOW THE POLISH SEAMEN WHO HAVE APPLIED FOR ASYLUM IN 1989 REMAIN IN THE UNITED STATES. WE WERE IN POLAND IN JULY OF 1989, AND SAW WHAT ARE AFRAID TO GO BACK TO. ANYTHING YOU CAN DO ON THEIR BEHALF IS GREATLY APPRECIATED. WE ARE CURRENTLY HOUSING 3 OF THE SEAMEN IN HOME, AND WOULD BE GREATLY DISTRESSED BY THEIR DEPORTATION.

POMID: 03161221
 DATE: 01/15/90
 TIME: 16:12:21
 LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BARNES	BOUCHER	ADAMS
BOYER	BROWN	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIS, C.	DAVIS, M.	DUNCAN
DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FAHRENKAMP
FURNACE	GOLL	FAIKS
GRUENBERG	GRUSSENDORF	FISCHER
HANLEY	HOFFMAN	FRANK
HUDSON	JACKO	HALFORD
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KELLY
MACLEAN	MARTIN	KERTTULA
MENARD	MILLER	PEARCE
NAVARRE	PETTYJOHN	POURCHOT
PHILLIPS	RIEGER	RODEY
SHARP	SHULTZ	STURGULEWSKI
SHACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF



Alaska State Legislature

Please enter into the record my testimony to the Hare Resources Comm.
 committee name
 committee on Subsistence, dated 3-1-90
 bill/subject

I am strongly opposed any constitutional amendment granting a subsistence priority to rural Alaska residents. A subsistence priority should be based on an individual needs basis which means the state Governor + Legislature should work for a change in the Federal Law that mandates a subsistence priority on the rural residency criteria.

Signed Charles W. Derrick Jr. CHARLES W. DERRICK J
 TESTIMY

Representing (Optional)
891 SELDOM SEEN RD.
 Address
FAIRBANKS, AK 99712
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the _____ committee name

committee on SUBSISTENCE, dated 10 MAR 90
bill/subject

I oppose any amendment to the state constitution that
Provides a priority for subsistence to any group, or person
I support the equal treatment of all Alaskan citizens
in the use of our resources. It is the non subsistence user
has been discriminated against. Do not subvert our
Constitution by creating a situation where the majority
of people are not allowed to hunt & fish.

Signed: Stan Bloom
Testifier

Representing (Optional)
303 Bentley Dr Fairbanks AK 99701
Address
452 5068
Phone No.

The Governor says if we just change our constitution we will return to the pre McDowell status on subsistence. From what I remember that wasn't so good. The State had lost the Kenatzi Case , had lost the Lime Village case, and the Outdoor Councils lawsuit. The judge ruled that Alaska was out of compliance with ANILCA. The State had issued a racially based education permit and had been ordered by the judge to submit a new plan to provide a preference to the Keniatze Indians. The last I heard they still haven't done that. They were saying that the whole Kenia peninsula would have to be called rural. Surely if the Kenai is rural so is Chena Hot Springs Road. ~~I sure wouldn't want to go back to that.~~

All I seem to hear is how the subsistence user is not being treated fairly. It is the urban people who's rights have been violated. We are the injured parties. We have been denied our constitutional rights under the subsistence law. Thank God for courage's people like McDowell. Without someone like him who is not afraid to put up the money and time we would all have to suffer under unconstitutional laws. The legislators who voted for the 86 amendments should ask our forgiveness. Now you have the gall to ask us to change the constitution so we can be discriminated against again. The Governor swore to uphold and to protect our constitution not to subvert it. If you force us to vote on the subsistence ammendment we will hold you accountable, if you vote for it you will have lost my vote forever. You who will be coming back to ask for our votes in November can just remember that.

Its time that we challenge the Federal law in the courts . We should treat all our citizens equally. There is no way to fairly allow some people to use our resources while restricting others. The framers of our constitution foresaw this problem and provided the safeguards that you are trying to subvert

Stan Bloom

1. opost cont ammendment
2. Active Management
- 3.
- 4
- 5
- 6 Basis personal need of Dependent lifestyle

Since I was a boy the constitution has stood as an ultimate and sacred protection of our individual rights such as freedom of speech, religion, Bear arms and freedom of the press. The state constitution is also a sacred document. I don't take your effort to change the constitution to allow circumlocution lightly. Maybe the contrast with the Russians hasn't been such a good thing if we are to imitate their idea of democracy. Maybe we need a little more of our own kind.



Alaska State Legislature

Please enter into the record my testimony to the House Resources
committee name
committee on HR - 88 , dated 7/10/90
bill/subject

See attached

Signed:

Tom Scarborough
Testifier

Tom Scarborough

Testifier

Self
Representing (Optional)

1626 Tarabe Drive, Fairbanks Ak 99709
Address

479-6602
Phone No.

THOMAS M. SCARBOROUGH
1676 TAROKA DRIVE
FAIRBANKS, ALASKA 99709

March 10, 1990

Re: Comments on HJR-88, Constitutional Amendment Relating
to Subsistence Uses of Fish and Wildlife by Rural
Residents

To House Resources Committee

The proposed Amendment as stated in HJR-88 would remove the Civil Rights as granted under Art. 1, Sec. 3 of the Constitution of Alaska. This is the right under which McDowell acted to challenge the State Subsistence Law. This right would be removed by the proposed Amendment. This Amendment may appear to be a short term solution, however the long term must be considered.

Back in 1972 it appeared a good idea to limit entry to Alaska's fisheries. Now 90% of the limited entry permits are owned by non Alaskans. Hindsight tells us that we made a big mistake in that constitutional amendment. To proceed with an amendment on subsistence will be a bigger mistake.

I urge you not to place HJR-88 before the Alaskan public to vote on. The consideration of removing rights that we Alaskan's and Americans have fought for over the past 200 years should not even be given serious consideration.





Alaska State Legislature

Please enter into the record my testimony to the HOUSE RESOURCES
committee name
committee on HJR 88 and 90 , dated 3/7/90
bill/subject

Copy of testimony attached

Signed: *AW Wise* 3/10/90

Testifier

Self

Representing (Optional)

1426-2nd AVE FBKS, AK 99701

Address

456-5441

Phone No.

Testimony by:

March 10, 1990

Bud Wiese

Fairbanks, Alaska 99701

I am 68 years old - 49 years in Alaska - 2 children -
5 grandchildren, all born in Alaska.

Am a conservationist and have worked with sportsmen and
other groups for over 40 years for the proper management and wise
use of all our resources.

Also for 40 plus years our family have harvested and processed
fish, game, berries and etc, for what we feel is a subsistence life
style as much as anyone with probably very few exceptions both
rural and/or urban. To elaborate with pride, except for very few
specialty items such as ham, turkey, oysters or eating out, we have
fulfilled our needs of fish, red meat, and berries off the land. We
try hard to take only what we can use - such as now our family group
has a limit of 6 plus moose plus caribou, sheep, deer and etc, but
feel 2 moose and some of the smaller animals are what we can use and
limit ourselves. I assure you we have the capability of taking much
more. We do not bone animals in the field and in processing, there
is very little waste. These resources are in most cases shared by
our group that now number from 17 to 21, this includes the kids of
our group.

So now that you have heard where I come from - I ask you, do you
feel that a Constitutional Amendment is necessary to limit my and/or our
group the opportunity to continue this Subsistence life style because

"continued"

March 10, 1990

Page 2.

Testimony by Bud Wiese -

"continued"

some of us choose to live in an urban area just to conform with Federal regulations that have broken a legal contracts they have with the people of Alaska.

Ask yourself, why have the Feds continued to violate the contracts given to us and they agreed to under the Alaska State Constitution and the Statehood Act? Is it to take back control of Alaska or is it the money they receive from special interest groups to keep us Alaskan divided and weak.

Thank you.



Alaska State Legislature

Please enter into the record my testimony to the HOUSE RESOURCES
 committee name
 committee on HJR 88, dated MAR 10TH 1990
 bill/subject

See Attached Letter

Signed: *Charles F. Sorensen*
 Testifier

Self and Fairbanks Suburban District in Urban Area
 Representing (Optional)

1011 25TH AVE FBKS 99701
 Address

456-2437
 Phone No.

Subsistence Issue

My name is Chester Sniegowski, and I reside at 1011 25th Avenue in Fairbanks, Alaska.

Adopting a constitutional amendment to ratify a bad Federal law is no answer to the Subsistence issue. I am married and I have five (5) children. My family and I moved to Alaska eleven years ago because this was the Last Frontier. We use approximately seventy salmon, two caribou, and one moose per year. This is not enough resource for my family to subsist on. Just because I chose to settle in Fairbanks, Alaska, I am penalized and treated unequal to other Alaskan living in a rural area.

When you really think about it the only sportsman fishing or hunting in Alaska is the Non-Resident. Every Alaskan should be and rightfully so, considered a subsistence user.

Some Alaskan whether they live in a rural or a urban community, will use the resources less than others. but let's let the individual resident not the government decide, who will get that opportunity.

Let's be fair and just to all Alaskan and make all Alaskan residents subsistence qualified, or fight the Federal government in court to preserve our State Constitution, which guarantee equal use of our fish and game resources to all Alaskan.

Thank you.

P.S. Please refer to the CONSTITUTION OF THE STATE OF ALASKA, Article I Declaration of Rights, Section 1, Section 3, and Section 23. Also Article VIII, Section 3.

Oppose subsistence amendment to Constitution
Public Testimony -- March 10, 1990

Mary Bishop
1555 Gus's Grind
Fairbanks, AK 99709

The state's subsistence law is working pretty well, you ^{may} say, and we don't want federal take over. Well it's not working well. Have you heard of the serial lawsuits? Madison, Eluska, Ewan, John, Bobby, Kenaitze, McDowell. I'm sure there's more, I think the state has lost them all.

With each one, we've found that the subsistence priority isn't what most people thought it was. ^{With} each court case, we realize it's worse than we could have imagined. After the ruling in the Lime Village case, Lew Pamplin, director of the state's Division of Wildlife Conservation is quoted in an Anchorage paper as saying, "It's awful. It's real confusing to me. I'm not sure where we are now."

We've learned that the priority exists all the time, not just during a shortage. The priority means that residents of Lime Village have a moose season that calls for no limit, either sex, open six months of the year. The priority means that recreational and commercial use must be eliminated before subsistence use can be restricted below what's "customary and traditional". The priority goes to Nenana residents, but not to people living 4 miles outside Nenana. The priority means that people on the Chena Hot Springs Road must watch residents of Nenana and Minto hunt in their back yard while they can't hunt at all. The priority means that members of a tribal group scattered throughout the Kenai must get a priority over their non-tribal neighbors.

Subsistence, you may say, doesn't exist except in rural areas. So what's the problem with supporting the Governor's proposal.

Well, ^Jlots of people seem to disagree about where subsistence does or doesn't exist. We can start with the state's Supreme Court. In the McDowell opinion, page 27, the court used data from the Subsistence Division's research to conclude that

"There are...substantial numbers of Alaskans living in areas designated as urban who have legitimate claims as subsistence users. Likewise, there are substantial numbers of Alaskans living in areas designated as rural who have no legitimate claims."

Rep. Kay Wallis must agree; just two days ago she introduced a

+ several today
have agreed
with her.

bill to give all Natives--both rural and urban--special subsistence rights. // Rep. Jacko must think subsistence isn't just rural; he wants a bill that allows for local rather than rural preferences.

The Governor wants to restrict this subsistence right on the basis of rural--but his staff admits they don't know what rural means--and we won't know until the feds tell us. And this is so we can maintain state, rather than federal management?

The Governor says this subsistence use is so important that we must protect it as a Constitutional right--like the right to free speech and the right to assemble. He says we should use the state's Constitution to give one group of citizens a certain right which, in turn, must be taken away from another group of citizens. That's frightening--to use the Constitution for such a purpose.

Then to add insult to injury, we don't even know what rural and non-rural mean--or for that matter what subsistence and non-subsistence mean. Can you, our legislators, define these words? Can you add these words to our Constitution when we don't even really know what they mean? Is this the stuff of which Constitutions should be made?

We mustn't wrong our constitution just because the federal law is wrong. Two wrongs never made a right.

So how do we solve the problem we're in? We must change federal law, and we can. I ~~can~~ personally ~~guaranteed~~ that our Congressional delegation will work for a change in the law--but only if we stand strongly behind them with one voice coming out of our state legislature.

[We must not, in this great state's constitution, make a provision that discriminates so unfairly between citizens.] We must not make any Alaskan citizen's customs and traditions, religion, race or culture more important than his neighbor's customs and traditions, religion, race or culture.

Haven't we learned from history. Don't we have examples enough in this world, right now, of the conflicts and violence that finally erupts when governments discriminate on the basis of race, customs, cultures or religion. ~~Don't do it.~~ Don't do it.



Alaska State Legislature

Please enter into the record my testimony to the HOUSE RESOURCES
 committee name
 committee on HJR 96 & related bills, resolutions, dated 3/10/90
 bill/subject

AS PER ATTACHED

Signed: *Richard Bishop* Richard Bishop
 Testifier

SELF
 Representing (Optional)

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ALASKA'S SUBSISTENCE DILEMMA

opinion column, by Richard Bishop, March 9, 1990

1555 G45'S GRIND/FAIRBANKS AK 99709
PR 907-455-451

Years ago Governor Jay Hammond observed that subsistence was like pornography--everyone could recognize it when they saw it, but no one could define it.

In spite of that insight, subsistence definitions were politically contrived and cast in state and federal law, only to be thrown out by courts 10 years later after unending arguments and serial lawsuits.

In the wake of the frantic pipeline construction era the state legislature passed a law in 1978 giving subsistence use of fish and wildlife priority over other uses. (In that 1978 law, subsistence use was not limited to residents of rural Alaska.) Advocates claimed it would save Alaska's native cultures and would keep Congress from putting the priority in federal law. It did neither.

Ironically, the same advocates pointed to the state law as evidence that Alaskans would not object to a similar federal law. But the word "rural" was added in the 1980 federal law at the insistence of the Alaska Federation of Natives. The state then added "rural" to comply with Federal law. Incredible as it seems, the argument was that by complying fully with federal

mandates, the state would retain its authority to manage fish and wildlife!

Unfortunately no one seriously checked to see if the state law was constitutional. The Alaska Supreme Court declared this fall that it's not.

A priority based on rural residency doesn't comply with the constitution's mandate that fish, waters, and wildlife be managed for "common use".

The law was a loser anyway. Besides its other failings, it dictated that commercial and recreational uses could not be allowed unless and until subsistence use opportunities were fully accommodated. That doesn't sound too bad until you find out in court that the only limits on priority subsistence uses are "custom" and "tradition"--or a threat to the fish or game population's well-being. The state was rapidly heading for a "no-season, no bag limit" situation for subsistence use. And given the technology available, it would be virtually impossible to prove in court that a fish or game population was threatened by subsistence use.

A classic example is the Bobby case, where it was argued that there should be no seasons or bag limits on moose for residents of Lime Village. The state eventually provided a 6 month season, either sex, with no bag limit.