

32-LS0438\B
Wallace
5/8/22

SENATE CS FOR HOUSE BILL NO. 123(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES ZULKOSKY, Kreiss-Tomkins, Drummond, Spohnholz, Fields, Tarr, Ortiz, Snyder, Story, Foster, Schrage, Vance, Patkotak, Hannan, Hopkins, Josephson

SENATORS Begich, Gray-Jackson, Olson, Wielechowski, Kiehl, Kawasaki, Stevens, Bishop, Stedman, von Imhof, Hoffman, Revak

A BILL

FOR AN ACT ENTITLED

1 **"An Act providing for state recognition of federally recognized tribes; and providing for**
2 **an effective date."**

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 LEGISLATIVE FINDINGS AND INTENT. (a) The history of tribes in the state
7 predates the United States and predates territorial claims to land in the state by both the
8 United States and Imperial Russia. Indigenous people have inhabited land in the state for
9 multiple millennia, since time immemorial or before mankind marked the passage of time.

10 (b) It is the intent of the legislature to exercise the legislature's constitutional policy-
11 making authority and acknowledge through formal recognition the federally recognized tribes
12 in the state. Passage of this Act is nothing more or less than a recognition of tribes' unique
13 role in the state's past, present, and future.

14 * **Sec. 2.** AS 01 is amended by adding a new chapter to read:

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Chapter 15. State-Tribal Relations.

Sec. 01.15.100. Recognition of tribes. The state recognizes the special and unique relationship between the United States government and federally recognized tribes in the state. The state recognizes all tribes in the state that are federally recognized under 25 U.S.C. 5130 and 5131. Nothing in this section diminishes the United States government's trust responsibility or other obligations to federally recognized tribes in the state or creates a concurrent trust relationship between the state and federally recognized tribes. In this section, "federally recognized tribe" has the meaning given in AS 23.20.520.

* **Sec. 3.** AS 23.20.520(13) is amended to read:

(13) "federally recognized tribe"

(A) means a tribe that is recognized by the United States Secretary of the Interior to exist as an Indian tribe under 25 U.S.C. 5131 [25 U.S.C. 479A] (Federally Recognized Indian Tribe List Act of 1994);

(B) includes any subdivision, subsidiary, or business enterprise wholly owned by a federally recognized tribe;

* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).