

HOUSE JOINT RESOLUTION NO. 20

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE NEUMAN

Introduced: 4/1/15

Referred: Resources

A RESOLUTION

1 **Urging the United States Congress to enact legislation to clarify and recognize each**
2 **individual state's authority to manage the fish and wildlife within its borders.**

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

4 **WHEREAS** sportsmen are the cornerstone of the North American Model of Wildlife
5 Conservation, in which hunters and anglers serve as the foremost funding source of fish and
6 wildlife management; and

7 **WHEREAS**, over time, the United States Congress has, through various acts,
8 recognized the states' role, authority, and expertise in fish and wildlife conservation; and

9 **WHEREAS** this state has a history of maintaining fish and wildlife resources for the
10 maximum benefit of the people based on the sustained yield principle; and

11 **WHEREAS** federal land management agencies are increasingly inconsistent in
12 recognizing the state's primary role in the management of the state's fish and wildlife; and

13 **WHEREAS** the United States Fish and Wildlife Service has superseded conservation-
14 based, state-authorized hunting and trapping seasons, bag limits, methods, and means for a
15 number of species on the Kenai National Wildlife Refuge; and

16 **WHEREAS** the United States Fish and Wildlife Service has refused to allow the state

1 actively to manage wolves in the Alaska Maritime National Wildlife Refuge to prevent
2 extirpation of the dwindling Unimak caribou herd and to provide for subsistence and other
3 uses; and

4 **WHEREAS** the National Park Service has superseded state-authorized hunting and
5 trapping seasons for brown bear and black bear, wolf, and coyote in areas throughout the
6 state; and

7 **WHEREAS** the National Park Service has restricted the access of state employees
8 and members of the public to state land and water for research, hunting, fishing, and trapping;
9 and

10 **WHEREAS** the National Park Service has superseded state hunting regulations that
11 recognized traditional hunting for bears in dens using artificial light; and

12 **WHEREAS** the United States Department of the Interior increasingly asserts
13 management of resident wildlife using precautionary passive management approaches aimed
14 at ensuring "natural diversity" in disregard of the North American Model of Wildlife
15 Conservation; and

16 **WHEREAS** the Alaska State Legislature is concerned with the erosion and
17 preemption of the state's authority to manage its fish and wildlife resources;

18 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
19 Congress to enact legislation reserving the authority to enforce state fish and wildlife laws and
20 manage fish and wildlife on public land and water, including federal land and federal reserved
21 water, to the individual states in which the land or water is found; and be it

22 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
23 Congress to enact legislation precluding federal policies that automatically preempt a state's
24 authority to manage its fish and wildlife, despite prior congressional recognition of state
25 management authority; and be it

26 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
27 Congress to enact legislation requiring federal agencies to revise existing agreements between
28 state and federal land management agencies to clarify and recognize their respective
29 management authority, to recognize the scientific expertise of state fish and wildlife
30 biologists, and to accord state fish and wildlife biologists the same deference in court and
31 regulatory proceedings as federal biologists; and be it

1 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
2 the United States Congress pursue efforts to clarify the state's authority over fish and wildlife
3 management within its boundaries.

4 **COPIES** of this resolution shall be sent to the Honorable Joseph R. Biden, Jr., Vice-
5 President of the United States and President of the U.S. Senate; the Honorable John Boehner,
6 Speaker of the U.S. House of Representatives; the Honorable Mitch McConnell, Majority
7 Leader of the U.S. Senate; and the Honorable Lisa Murkowski and the Honorable Dan
8 Sullivan, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the
9 Alaska delegation in Congress.