

From: Susan A <[REDACTED]>
Sent: Thursday, February 13, 2025 11:07 PM
To: House Resources
Subject: Public Testimony on HB 79: "An Act naming the Vic Fischer Shoup Bay State Marine Park"

Chairperson and Honorable Members of the Committee,

Introduction

Honorable Members of the Alaska State Legislature, thank you for the opportunity to testify on HB 79, which proposes renaming Shoup Bay State Marine Park as the Vic Fischer Shoup Bay State Marine Park. While honoring the legacy of Vic Fischer—a key figure in Alaska’s statehood movement—is commendable, this bill raises several legal, procedural, and policy concerns that merit careful consideration before passage.

Concerns & Recommendations

1. Tribal Consultation & Federal Treaty Compliance

Shoup Bay State Marine Park, like many coastal and inland areas in Alaska, may overlap with tribal historical lands, subsistence use areas, or marine territories recognized under federal law. The bill does not mention consultation with Alaska Native tribes, yet renaming the park without tribal input could raise:

- A. Concerns under the Alaska Native Claims Settlement Act (ANCSA) regarding Indigenous land use and subsistence rights.
- B. Potential conflicts with ANILCA (Alaska National Interest Lands Conservation Act) if federal conservation laws govern marine or land access.
- C. Cultural erasure issues, if Indigenous names or historical significance are not acknowledged.

Recommendation:

- a. Amend the bill to require formal consultation with tribal governments and Indigenous organizations before finalizing the name change.
- b. Ensure the renaming does not erase or override Indigenous place names that have historical and cultural importance.

2. Constitutional & Legal Due Process Issues

The Alaska Constitution and state statutes set clear procedures for geographic renaming to ensure transparency and public input:

A. Alaska Statutes (AS 35.30.010-35.30.020) outline naming conventions for public spaces, often requiring public hearings and consultation.

B. AS 41.21, which governs the state park system, may require additional legal and environmental review before a name change takes effect.

C. Equal Protection & Due Process: If tribal or community input was not formally included, this could raise constitutional concerns under Article I, Section 7 of the Alaska Constitution.

Recommendation:

a. Ensure full compliance with existing state naming statutes and include a formal public review process before renaming state parks.

b. If hearings have not been held, require at least one public meeting for impacted communities and local stakeholders.

3. Financial & Administrative Costs: Unintended Budgetary Burden

Changing the official name of a state park carries direct and indirect costs, including:

A. Signage Replacement: Physical signage at the park entrance, trailheads, and navigation points.

B. Mapping & Documentation Updates: State and federal agencies will need to update official maps, GIS data, and legal records.

C. Tourism & Guide Materials: Businesses, parks departments, and travel services will need to reprint brochures and digital resources.

The bill does not include a fiscal note estimating the cost of these changes, creating an unfunded mandate that places an unexpected financial burden on the state.

Recommendation:

a. Require a fiscal impact statement before advancing the bill.

b. If costs are significant, include a funding provision to cover renaming expenses.

4. Potential Land Use & Conservation Loopholes

While HB 79 does not explicitly change land-use designations, renaming a park can serve as a precursor to future policy shifts, including:

A. Reclassification of the marine park's conservation status.

B. Expansion of tourism or development opportunities in the renamed area.

C. Adjustments to state vs. federal land jurisdiction, particularly if the name change is later used to argue for state-controlled land management over federal protections.

This could align with policy recommendations from the Heritage Foundation's "Mandate for Leadership" which encourages:

- State sovereignty over federal lands
- Weakened environmental protections in favor of economic development
- Privatization of public services & infrastructure

Without explicit protections in the bill, renaming Shoup Bay could be leveraged in future legislation to justify a shift in conservation policy, park access, or economic development projects.

Recommendation:

- Amend HB 79 to include a provision ensuring that renaming the park does not alter existing land-use policies, conservation protections, or state-federal jurisdiction.
- Require legislative approval for any future reclassification of the park's status.

Final Recommendations & Proposed Amendments

While honoring Vic Fischer is an important gesture, HB 79 should not be passed without key safeguards to prevent unintended legal, financial, and policy consequences.

Before passage, I urge the committee to:

- Amend the bill to require tribal consultation and input before renaming.
- Ensure compliance with Alaska's geographic naming statutes and constitutional due process requirements.
- Include a fiscal note estimating the full cost of renaming and update state budget projections accordingly.
- Clarify that renaming the park does not open the door to land reclassification or changes in conservation protections.
- Require a legislative review process for any future policy shifts involving Vic Fischer Shoup Bay State Marine Park.

Thank you for your time and consideration. I urge this body to ensure that HB 79 is not just a symbolic gesture, but a well-executed and transparent process that upholds state, federal, and Indigenous legal protections.

While, I, myself, prefer, we not soil his name. Vic would have preferred the removal of the Governor. Doubt the Governor would sign it, however, at this point I suggest it as a further amendment. Feel free to add it as one. Ahéhee

Respectfully submitted,
Susan Allmeroth
Two Rivers