

HOUSE JOINT RESOLUTION NO. 58

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE GREEN

Introduced: 2/12/96

Referred: Resources

A RESOLUTION

1 Relating to reauthorization and reform of the Endangered Species Act.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS the Endangered Species Act (Act) is presently being considered for
4 reauthorization by the Congress; and

5 WHEREAS the State of Alaska supports the basic concept embodied in the Act to
6 prevent the extinction of species; and

7 WHEREAS effective protection for most endangered species is dependent upon
8 cooperation among federal agencies, state fish and wildlife agencies, and private landowners;
9 and

10 WHEREAS improper implementation of the Act has often created adversarial
11 relationships among federal agencies, state fish and wildlife agencies, and private landowners;
12 and

13 WHEREAS the detrimental effects of the Act on private landowners is a disincentive
14 for landowners to cooperate in the implementation of the Act and results in less protection for
15 potentially endangered species on private land; and

16 WHEREAS the federal agencies charged with administering the Act have often
17 misused their authority under the Act; and

1 **WHEREAS** an inadequate scientific basis exists for many decisions made by federal
2 agencies regarding the listing of species and recovery plans for endangered species; and

3 **WHEREAS** administrative reforms promised by the Clinton administration have either
4 not been implemented or been wholly inadequate; and

5 **WHEREAS** new policies adopted by the federal agencies charged with implementing
6 the Act have not significantly improved the implementation of the Act;

7 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
8 Congress to proceed with reauthorization of the Endangered Species Act, using HR 2275 as
9 the basis for the reauthorization legislation; and be it

10 **FURTHER RESOLVED** that the Alaska State Legislature respectfully recommends
11 that the reauthorized Endangered Species Act (Act) contain the following features in order to
12 assure partnerships with the states, protection of private property rights, and appropriate
13 conservation of endangered species:

14 (1) an effective partnership with the states in the conservation of endangered
15 species;

16 (2) greater flexibility for states in implementing the Act, including opportunity
17 for consultation under sec. 7 of the Act;

18 (3) an exemption from the Federal Advisory Committee Act for cooperative
19 ventures with the states;

20 (4) requirements for stricter scientific and quantitative criteria for listing
21 species under the Act;

22 (5) elimination of the concept of "distinct population segment" from the
23 definition of "species";

24 (6) establishment of taxonomic standards for listing subspecies under the Act;

25 (7) scientific peer review procedures for listing and "de-listing" of species
26 under the Act;

27 (8) elimination of the biological diversity reserve system or exemption of
28 Alaska from the system;

29 (9) establishment of species conservation and recovery standards that take into
30 consideration the ability of a species to recover, the costs of implementation, and the public
31 interest; and

1 (10) a requirement that recovery plans impose equitable burdens on affected
2 entities.

3 **COPIES** of this resolution shall be sent to the Honorable Ted Stevens and the
4 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
5 Representative, members of the Alaska delegation in Congress.