

SENATE JOINT RESOLUTION NO. 16

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY SENATOR LEMAN

Introduced: 2/18/96

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) will be considered for reauthorization
4 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, local governments, and
9 private landowners; and

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

13 **WHEREAS** the detrimental effects of the Act on private landowners and regional
14 economies is a disincentive for landowners to cooperate in the implementation of the Act and
15 results in less protection for 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 either have
4 not been implemented or have 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 (Act); and be it

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

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

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

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

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

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

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

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

26 (8) establishment of species conservation and recovery standards that take into
27 consideration the ability of a species to recover, the costs of implementation, and the public
28 interest; and

29 (9) a requirement that recovery plans impose equitable burdens on user
30 groups; and be it

31 **FURTHER RESOLVED** that the Alaska State Legislature requests that the

1 reauthorized Act not include

2 (1) an expansion of federal authority;

3 (2) provisions that further complicate the law by integrating implementation
4 of the Biodiversity Treaty with the Act; and

5 (3) the creation of a new, overlapping, and ambiguous biological diversity
6 reserve system.

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