

**ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS
STANDING COMMITTEE**

April 6, 2004
9:10 a.m.

MEMBERS PRESENT

Representative Carl Morgan, Chair
Representative Pete Kott
Representative Ralph Samuels
Representative Sharon Cissna

MEMBERS ABSENT

Representative Kelly Wolf, Vice Chair
Representative Tom Anderson
Representative Albert Kookesh

COMMITTEE CALENDAR

HOUSE BILL NO. 308

"An Act related to exchanging public land for privately held riverbank and stream bank lands."

- MOVED HB 308 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 308

SHORT TITLE: EXCHANGE PUBLIC LAND FOR STREAM BANK LAND

SPONSOR(S): REPRESENTATIVE(S) GARA

05/08/03	(H)	READ THE FIRST TIME - REFERRALS
05/08/03	(H)	CRA, RES
03/04/04	(H)	CRA AT 8:00 AM CAPITOL 124
03/04/04	(H)	Heard & Held
03/04/04	(H)	MINUTE(CRA)
04/06/04	(H)	CRA AT 9:00 AM CAPITOL 124

WITNESS REGISTER

REPRESENTATIVE LES GARA
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of HB 308.

ACTION NARRATIVE

TAPE 04-11, SIDE A

Number 0001

CHAIR CARL MORGAN called the House Community and Regional Affairs Standing Committee meeting to order at 9:10 a.m. Representatives Morgan, Kott, Samuels, and Cissna were present at the call to order.

HB 308-EXCHANGE PUBLIC LAND FOR STREAM BANK LAND

CHAIR MORGAN announced that the only order of business would be HOUSE BILL NO. 308, "An Act related to exchanging public land for privately held riverbank and stream bank lands."

Number 0071

REPRESENTATIVE LES GARA, Alaska State Legislature, sponsor of HB 308, said that he would appreciate the committee members reporting HB 308 from committee so that he can educate as many members of the House as possible. This legislation would educate folks with regard to the concept that public access along fishing streams is going to be lost. He acknowledged that HB 308 has a large fiscal note, but informed the committee that the Alaska Department of Fish & Game (ADF&G) has agreed to work with him over the summer in order to develop the most efficient way to preserve public access along Alaska's riverbanks. Representative Gara informed the committee that the concept of trading privately held land to obtain public access to streams and riverbanks is supported within ADF&G. However, there has to be a way to do so without such a high price tag.

Number 0184

REPRESENTATIVE CISSNA asked if the state has ever had any provision with regard to access to streams, rivers, and other water frontage.

REPRESENTATIVE GARA replied that the state has done a good job, and therefore the state has public access rights along most state lands. However, there are no public access rights for pre-statehood private lands, federal lands, and private lands conveyed to private parties before the mid 1970s. There are many classes of land for which there is no public access, including most of the lands along some of the more popular Parks Highway streams. For example, those lands with no public access

include parts of Willow Creek, Montana Creek, Anchor River, and Copper River. He pointed out that the state has only required public access to and along lands since the 1970s.

REPRESENTATIVE CISSNA surmised then that those using those rivers and streams would be trespassing.

REPRESENTATIVE GARA replied yes, noting that much of the land hasn't been developed yet.

Number 0426

REPRESENTATIVE CISSNA pointed out that access is an issue for a state that relies on tourism, and therefore before these lands are developed is the time to think about it.

REPRESENTATIVE GARA replied yes, adding that after the land is developed it will be too expensive for the state to get back.

REPRESENTATIVE SAMUELS announced that he agreed with the concept of HB 308.

Number 0506

REPRESENTATIVE SAMUELS moved to report HB 308 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 308 was reported from the House Community and Regional Affairs Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 9:14 a.m.