

HOUSE JOINT RESOLUTION NO. 17

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE ELKINS

Introduced: 4/5/05
Referred: Resources

A RESOLUTION

1 **Opposing the Federal Lands Recreation Enhancement Act.**

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

3 **WHEREAS** the Federal Lands Recreation Enhancement Act, H.R. 3283, 108th
4 United States Congress, was introduced in the United States House of Representatives and
5 would have authorized the United States Forest Service, the United States Bureau of Land
6 Management, the United States Fish and Wildlife Service, the National Park Service, and the
7 United States Bureau of Reclamation to charge visitor fees for recreation on publicly owned
8 land; and

9 **WHEREAS** H.R. 3283 was not voted on separately in the United States House of
10 Representatives and was not introduced in, did not have hearings in, and was not approved by
11 the United States Senate, but instead was attached to the omnibus spending bill, H.R. 4818,
12 108th United States Congress, as an appropriation rider; and

13 **WHEREAS** the 108th United States Congress enacted H.R. 4818, and the Federal
14 Lands Recreation Enhancement Act is now codified as 16 U.S.C. 6801 - 6814; and

15 **WHEREAS** the Federal Lands Recreation Enhancement Act includes criminal
16 penalties and is substantive legislation that fundamentally changes the way public land in the

1 state is funded and managed; and

2 **WHEREAS** the concept of paying fees to use public land is contrary to the idea that
3 public land belongs to the people of the state and is land where every person is granted access
4 and is welcome, a concept that has been and should remain in place; and

5 **WHEREAS** recreational fees constitute double taxation and bear no relationship to
6 the actual costs associated with recreational use such as hiking, picnicking, observing wildlife,
7 or scenic driving on state roads and public rights-of-way; and

8 **WHEREAS** the fees imposed by the Federal Lands Recreation Enhancement Act are
9 a regressive tax that places an undue burden on the people living in rural areas adjacent to or
10 surrounded by large areas of federal land and discriminates against lower-income and
11 working Alaskans by placing financial obstacles in the way of their enjoyment of public land;
12 and

13 **WHEREAS** the public land access fees in the Federal Lands Recreation Enhancement
14 Act are highly controversial and are opposed by hundreds of organizations, several state
15 legislatures, and millions of rural Americans; and

16 **WHEREAS** the Federal Lands Recreation Enhancement Act establishes an
17 interagency pass that may be used to cover entrance fees and recreational amenity fees for
18 federal public land and water, disregarding the substantially different ways in which national
19 parks and other federal public land are managed and funded; and

20 **WHEREAS** the limited means of expressing opposition to and the lack of public
21 debate in the implementation of the fee program raises the concern that some citizens may be
22 deterred from visiting and enjoying public land in the state and throughout the United States;
23 and

24 **WHEREAS** tourism is an important industry to the state, and the imposition of
25 recreational use fees will have a negative effect on state and local economies;

26 **BE IT RESOLVED** that the Alaska State Legislature demands that the Federal Lands
27 Recreation Enhancement Act, which was enacted on December 8, 2004, be repealed and that
28 no recreational fees authorized under the Federal Lands Recreation Enhancement Act be
29 imposed to use federal public land in the state.

30 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
31 of the United States; the Honorable Richard B. Cheney, Vice-President of the United States

1 and President of the U.S. Senate; the Honorable Gale Norton, United States Secretary of the
2 Interior; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the
3 Honorable Bill Frist, Majority Leader of the U.S. Senate; the Honorable Harry Reid, Minority
4 Leader of the U.S. Senate; the Honorable Tom DeLay, Majority Leader of the U.S. House of
5 Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of
6 Representatives; the Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S.
7 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
8 delegation in Congress; and, by electronic transmission, all other members of the 109th
9 United States Congress.