

HJR

16

ALASKA STATE LEGISLATURE

INTERIM

50 Front Street
Suite 203
Ketchikan, Alaska 99901
Phone (907) 247-4672
Fax: (907) 225-8546



SESSION

Suite 416
State Capitol Building
Juneau, Alaska 99801
Phone: (907) 465-3424
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REPRESENTATIVE JIM ELKINS

Sponsor Statement

House Joint Resolution 16 opposes the designation of any area in Alaska as a World Heritage Site, Biosphere Reserve, or any other type of international designation without the specific consent of the Alaska State Legislature. It also urges the United States Congress to pass and the President to sign legislation that will require approval by an Act of Congress before any area in the United States or its territories can be nominated as a World Heritage Site, Biosphere Reserve, or any other type of international designation.

This resolution urges the Congress of the United States to reaffirm the power of Congress, under article IV, section 3 of the United States Constitution over international agreements, which concern disposal, management, and use of lands belonging to the United States. To protect State powers not reserved to the Federal Government under the Constitution from Federal actions designating lands pursuant to international agreements. Ensure that no United States citizen suffers any diminishment or loss of individual rights as a result of Federal actions designating lands pursuant to international agreements for purposes of imposing restrictions on use of those lands. Protect private interests in real property from diminishment as a result of Federal actions designating lands pursuant to international agreements.

24-LS0748VG
Bullock
3/31/05

CS FOR HOUSE JOINT RESOLUTION NO. 16()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE ELKINS

A RESOLUTION

1 **Opposing the designation of any area in the state as a world heritage site, biosphere**
2 **reserve, or any other type of international designation without the consent of the Alaska**
3 **State Legislature and affected local governments.**

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

5 **WHEREAS** the United Nations has designated over 60 sites in the United States as
6 "world heritage sites" or "biosphere reserves," which altogether are equal in size to the State
7 of Colorado, the eighth largest state; and

8 **WHEREAS** art. IV, sec. 3, United States Constitution, provides that the United States
9 Congress shall make all needed rules and regulations respecting the territory or other property
10 belonging to the United States and nothing in the constitution shall be construed to prejudice
11 any claims of the United States or of any state; and

12 **WHEREAS** many of the United Nations' designations include private property
13 inholdings and contemplate buffer zones of adjacent land; and

14 **WHEREAS** some international land designations, such as those under the United
15 States Biosphere Reserve Program and the Man and Biosphere Program of the United Nations

1 Educational, Scientific, and Cultural Organization, operate under independent national
2 committees such as the United States Man and Biosphere National Committee that have no
3 legislative directives or authorization from the United States Congress; and

4 **WHEREAS** local citizens and public officials concerned about job creation and
5 resource-based economies usually have no say in the designation of land near their homes for
6 inclusion in an international land use program; and

7 **WHEREAS** these international designations are an open invitation to the international
8 community to interfere in domestic economies and land use decisions; and

9 **WHEREAS** environmental groups and the United States Department of the Interior,
10 National Park Service, have been working to establish an international park, a world heritage
11 site, and a marine biosphere reserve called Beringia covering parts of western Alaska, eastern
12 Russia, and the Bering Sea; and

13 **WHEREAS** foreign companies and countries could use these international
14 designations in western Alaska to block economic development that they perceive as
15 competition; and

16 **WHEREAS** animal right activists could use these international designations to
17 generate pressure to harass or block harvesting of marine mammals by Alaska Natives; and

18 **WHEREAS** these international designations could be used to harass or block
19 commercial activity, including pipelines, railroads, and power transmission lines; and

20 **WHEREAS** the United States Department of the Interior, in cooperation with the
21 Federal Interagency Panel for World Heritage, has identified the Aleutian Island Unit of the
22 Alaska Maritime National Wildlife Refuge, Arctic National Wildlife Refuge, Cape
23 Krusenstern National Monument, Denali National Park, Gates of the Arctic National Park,
24 and Katmai National Park as likely to meet the criteria for future nomination as world heritage
25 sites; and

26 **WHEREAS**, under current law, the United States Secretary of the Interior can
27 nominate world heritage sites, and the United States Secretary of State can nominate
28 biosphere reserves, both without approval by the Congress;

29 **BE IT RESOLVED** that the Alaska State Legislature recognizes and reaffirms the
30 constitutional authority of the Congress as the elected representatives of the people over the
31 federally owned land of the United States; and be it

1 **FURTHER RESOLVED** that the Alaska State Legislature objects to the nomination
2 or designation of any site in Alaska as a world heritage site, biosphere reserve, or any other
3 type of international designation without the prior consent of the Alaska State Legislature and
4 affected local governments; and be it

5 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
6 Congress to pass and the President to sign legislation that will require approval by an Act of
7 Congress before any area in the United States or its territories can be studied as a potential, or
8 nominated to be, a world heritage site, biosphere reserve, or any other type of international
9 designation.

10 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
11 of the United States; the Honorable Richard B. Cheney, Vice-President of the United States
12 and President of the U.S. Senate; the Honorable Gale Norton, United States Secretary of the
13 Interior; the Honorable Condoleezza Rice, United States Secretary of State; the Honorable J.
14 Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Bill Frist,
15 Majority Leader of the U.S. Senate; the Honorable Harry Reid, Minority Leader of the U.S.
16 Senate; the Honorable Tom DeLay, Majority Leader of the U.S. House of Representatives;
17 the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the
18 Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable
19 Don Young, U.S. Representative, members of the Alaska delegation in Congress; and, by
20 electronic transmission, all other members of the 109th United States Congress.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 16
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
 Title "Opposing the designation of any area in BRU Legislative Council
the state as a world heritage site, biosphere reserve, ..." Component: Council and Subcommittees
 Sponsor Representative Elkins Session Expenses
 Requestor House Resources Committee Component No. 783

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director
 Division: Administrative Services
 Approved by: Pamela Tarni, Executive Director
 Agency: Legislative Affairs Agency

Phone 465-6626
 Date/Time 3/29/05 9:55 AM
 Date 3/29/2005



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

March 30, 2005

Representative Jim Elkins
Alaska State House of Representatives
Juneau, AK 99802

RE: HJR 16: Oppose UN Land Designations in Alaska

Dear Representative Elkins:

On behalf of the Resource Development Council for Alaska, Inc. (RDC), I am writing to support HJR 16 – Oppose UN Land Designations in Alaska.

RDC is a private, non-profit trade association representing individuals and companies from each of Alaska's basic industries — oil and gas, mining, timber, tourism and fisheries. Our membership also includes Native regional and village corporations, local communities and organized labor. RDC's mission is to help grow Alaska's economy through the responsible development of the state's natural resources.

ANILCA created a vast network of conservation system units in Alaska. The federal government currently lays claim to over 235 million acres in Alaska — 64 percent of the state's total land mass. Over 58 million acres of this land is officially designated Wilderness, giving Alaska 55 percent of the nation's total Wilderness lands. To put this number in perspective, Alaska's federally designated Wilderness lands are greater in size than each of the following states: Florida, Illinois, Minnesota, New York and Washington. In addition, the state of Alaska has created the largest state park system in the union.

Because of this level of protection, the creation of additional world heritage sites, marine biospheres, or international parks in Alaska is unnecessary. Such designations would severely limit the economic potential of resource development projects throughout our great state. Further, because of the "no more" clause of ANILCA, additional lands in Alaska are prohibited from being added as conservation system units. RDC believes Alaskans are best positioned to make decisions regarding our land and our resources. Therefore, we endorse the intent of this resolution to mandate the consent of the Alaska State Legislature and the U.S. Congress prior to the establishment of future world heritage sites, biosphere reserves, or any other type of international designations.

Sincerely,

RESOURCE DEVELOPMENT COUNCIL for Alaska, Inc.

Jason Brune
Projects Coordinator

- Founded 1973
- Executive Director
Theodore J. Owens
- 2004-2005 Executive Committee
- John Shaefly, President
- Mark Bailey, Sr., Vice President
- Mark Kagan, Vice President
- Thomas Maloney, Secretary
- Stephanie Madson, Treasurer
- Patty Malowski
- Allen Stingham
- Marlynn Crockett
- Steve Denton
- Jaime Y. Foley
- Paul S. Glavinovich
- Terese Iann
- Wendy Lindstrom
- Kirk McGee
- Ron McPherson
- Richard Owen
- Thomas Panamorf
- Lisa M. Parker
- Robert B. Sellen
- Scott L. Thorson
- Andrew Van Chou
- John Whitehead
- Directors
- Irene A. Anderson
- Sharon Anderson
- John A. Barnes
- Mark Baglich
- Jason Bergerson
- Bruce Bostwa
- Rhonda Boyles
- Frank M. Brown
- Al Burch
- Patricia Carter
- Richard Cazanach
- James L. Choud
- Stephen M. Connolly
- Jeffrey J. Cook
- Ben Coote
- Robert Coit
- Paula Costley
- Carol Fraser
- Charles Green
- John K. Harsteland
- Bob Harris
- Larry Harris
- Joseph R. Merritt
- Don Moberg
- Anthony M. Orzo
- Bob Jacso
- David Jensen
- Charles W. Johnson
- Dianna M. Kater
- Frank A. Kelly
- Thomas C. Krawinkel
- Francis LaChapelle
- Jim Leibi
- Thomas Lewis
- David L. Matthews
- William Harry McDonald
- William McLaughlin
- James Merry
- Jim Palmer
- Charles A. Pierce, III
- William E. Pierce
- Debbie Reinwand
- Elizabeth Rensch
- Theresa J. Sharub
- Lorna Shaw
- Kerith N. Silver
- Joseph Sprague
- Jeanine St. John
- Lee Stoope
- John L. Sturgeon
- Jim Dero
- Greg Thies
- Eric P. Young
- Ex-Officio Members
- Governor Frank M. Murkowski
- Senator Lisa Murkowski
- Senator Ted Stevens
- Congressman Don Young

LEGISLATIVE RESEARCH REPORT

MARCH 1, 2005



REPORT NUMBER 05.151

BILLS OR RESOLUTIONS OPPOSING THE CREATION OF INTERNATIONAL PARKS, BIOSPHERE RESERVES, OR HERITAGE SITES

PREPARED FOR REPRESENTATIVE JIM ELKINS

BY ROGER WITHINGTON, LEGISLATIVE ANALYST

You asked for information on international parks, biosphere reserves or world heritage sites. Specifically, you wished to know if there have been any bills or resolutions introduced in the Alaska Legislature that oppose the establishment of such areas.

We searched the Alaska Legislature's *Final Status of Bills* books from 1975 through 2004 for any proposed legislation on the establishment of international parks, biosphere reserves or world heritage sites. We identified four pieces of legislation that appear to oppose such establishment: Senate Joint Resolution 41, introduced in 1996; House Joint Resolution 66, passed in 1996 as Legislative Resolve 71; House Joint Resolution 52, passed in 1998 as Legislative Resolve 62; and House Joint Resolution 15, passed in 1999 as Legislative Resolve 13.

House Joint Resolution 66, introduced in April 1996, and its companion legislation Senate Joint Resolution 41, stated the Alaska State Legislature's opposition to the authorization of an American Heritage Areas Program, which had been considered by Congress. The resolution urged members of Alaska's Congressional delegation to oppose the authorization and work to abolish the American Heritage Areas Program.¹ We include Legislative Resolve 71 (1996), as Attachment A, along with the bill history of House Joint Resolution 66.

House Joint Resolution 52, introduced in January 1998, stated the Alaska State Legislature's opposition to the nomination or designation of any river in Alaska as an American Heritage River under the American Heritage Rivers initiative. We include Legislative Resolve 62 (1998), as Attachment B, along with the bill history of House Joint Resolution 52.

¹ The American Heritage Areas Partnership Program Act of 1993 does not appear to have passed out of the United States Congress. The Act was reintroduced 1994, with the same results. Please note that we could find no mention of international parks, biosphere reserves or world heritage sites in the language of the Act.

House Joint Resolution 15, introduced in February 1999, stated, among other things, the Alaska State Legislature's opposition to the nomination or designation of any World Heritage Sites or Biosphere Reserves in Alaska without the specific consent of the Alaska State Legislature. We include Legislative Resolve 13 (1999), as Attachment C, along with the bill history of House Joint Resolution 15.

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

Attachment A

Legislative Resolve 71, Relating to opposing the American Heritage Areas Program, Nineteenth Alaska State Legislature, 1996.

Bill history for House Joint Resolution 66, Relating to opposing the American Heritage Areas Program, Nineteenth Alaska State Legislature, 1996.

Resolve: LR071

Year: 1996

Source Bill: HJR 66 am

LEGISLATIVE RESOLVE NO. 71 - Relating to opposing the American Heritage Areas Program.

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

WHEREAS the federal government is proposing to authorize an American Heritage Areas Program that would designate areas of the country and make those areas subject to legislation as part of the National Park System; and

WHEREAS federal proposals labeling private property invite, and are intended to invite, the destruction of private property rights, particularly when used by federal agencies in conjunction with other or subsequent legislation; and

WHEREAS provisions should be made under the American Heritage Areas Program in federal legislation to allow private property owners to reject or withdraw their property from such labeling without penalty, and to allow private property owners to avoid such labeling entirely; and

WHEREAS the National Park Service has devised the label "eligible but not designated" that creates the false impression that private property owners can avoid the consequences of being designated under the program despite the fact that this "eligible" label amounts to a de facto designation under the program because the government may treat eligible property the same as designated property under language such as, "This Act applies to . . . and properties eligible to be so designated"; and

WHEREAS the power to plan or zone private land is a power reserved to the states and the people of the states; and

WHEREAS, despite claims to the contrary, the clear intent and effect of the proposal would be to, de facto, involve the federal government in planning and zoning activities; and

WHEREAS it would be imprudent to tolerate or favor constitutionally questionable land designations and labels for which the consequences cannot be fully specified in advance but which appear likely to be injurious to private property rights; and

WHEREAS giving the American Heritage Areas Program a basis in legislation would greatly facilitate and increase the intrusive designation and labeling by government of private land; and

WHEREAS the enormity of some of the proposed areas (Rocky Mountain Heritage Corridor, Mississippi River Valley Heritage Corridor, and others) demonstrates an inexcusable and unacceptable federal arrogance;

BE IT RESOLVED that the Alaska State Legislature opposes the authorization of an American Heritage Areas Program and urges the members of Alaska's Congressional delegation to oppose the authorization and work to abolish the American Heritage Areas Program.

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

4/17/96	3822	(H)	READ THE THIRD TIME HJR 65
4/17/96	3823	(H)	PASSED Y40
4/17/96	3827	(H)	TRANSMITTED TO (S)
4/18/96	3356	(S)	READ THE FIRST TIME - REFERRAL(S)
4/18/96	3356	(S)	TRANSPORTATION
4/26/96	3606	(S)	TRA RPT SDP
4/26/96	3606	(S)	PREVIOUS H ZERO FN (DOT)
4/28/96	3660	(S)	RULES TO CALENDAR 4/28/96
4/28/96	3673	(S)	READ THE SECOND TIME
4/28/96	3673	(S)	ADVANCED TO THIRD READING UNAN CONSENT
4/28/96	3673	(S)	READ THE THIRD TIME HJR 65
4/28/96	3674	(S)	PASSED Y19 N1
4/28/96	3674	(S)	TAYLOR NOTICE OF RECONSIDERATION
4/29/96	3700	(S)	RECON TAKEN UP - IN THIRD READING
4/29/96	3701	(S)	PASSED ON RECONSIDERATION Y20 N-
4/29/96	3701	(S)	RETURN TO (H), TRANSMIT TO GOVERNOR NEXT
5/06/96	4518	(H)	11:35 PM 5/06/96 TRANSMITTED TO GOVERNOR
10/21/96	4730	(H)	READ BY GOVERNOR 5/09 LEGIS RESOLVE 55

HJR 66
HJR 66 AM

Relating to opposing the American Heritage Areas Program.

SPONSOR(S): RULES

CURRENT STATUS: LEGIS RESOLVE 71 STATUS DATE: 6/06/96

JRN-DATE	JRN-PG		ACTION
4/19/96	3880	(H)	READ THE FIRST TIME - REFERRAL(S)
4/19/96	3880	(H)	STATE AFFAIRS
4/26/96	4036	(H)	STA RPT SDP 2NR
4/26/96	4037	(H)	DP: JAMES, PORTER, GREEN, IVAN, OGAN
4/26/96	4037	(H)	NR: ROBINSON, WILLIS
4/26/96	4037	(H)	ZERO FISCAL NOTE (H.STA/LAA)
4/25/96	4037	(H)	RULES TO CALENDAR 4/26/96
4/26/96	4063	(H)	READ THE SECOND TIME
4/26/96	4063	(H)	AM NO 1 ADOPTED UNAN CONSENT
4/26/96	4063	(H)	ADVANCED TO THIRD READING UNAN CONSENT
4/26/96	4063	(H)	READ THE THIRD TIME HJR 66 AM
4/26/96	4064	(H)	PASSED Y26 N7 E5 A2
4/26/96	4064	(H)	KELLY NOTICE OF RECONSIDERATION
4/29/96	4135	(H)	RECONSIDERATION NOT TAKEN UP
4/29/96	4135	(H)	TRANSMITTED TO (S)
4/30/96	3718	(S)	READ THE FIRST TIME - REFERRAL(S)
4/30/96	3718	(S)	RESOURCES
5/03/96	3871	(S)	RES RPT 2DP 4NR
5/03/96	3871	(S)	PREVIOUS H ZERO FN (H.STA/LAA)
5/04/96	3914	(S)	RULES TO CALENDAR 5/4
5/04/96	3932	(S)	READ THE SECOND TIME
5/04/96	3932	(S)	FAILED TO ADVANCE Y12 N7 E1
5/04/96	3933	(S)	THIRD READING 5/5 CALENDAR
5/05/96	4028	(S)	READ THE THIRD TIME HJR 66 AM
5/05/96	4028	(S)	PASSED Y14 N6
5/05/96	4028	(S)	RETURN TO (H), TRANSMIT TO GOVERNOR NEXT
10/21/96	4753	(H)	11:10 AM 6/05/96 TRANSMITTED TO GOVERNOR
10/21/96	4759	(H)	FILED PERMANENTLY 6/06 LEGIS RESOLVE 71

HJR 67

Relating to transit fees imposed on United States fishing vessels by Canada.

SPONSOR(S): RESOURCES

CURRENT STATUS: (H) RES THEN FSH STATUS DATE: 4/30/96

NSENT

Attachment B

Legislative Resolve 62, Relating to the opposition to the designation of any rivers in Alaska as American Heritage Rivers under the American Heritage Rivers initiative, Twentieth Alaska State Legislature, 1998.

Bill history for House Joint Resolution 52, Relating to the opposition to the designation of any rivers in Alaska as American Heritage Rivers under the American Heritage Rivers initiative, Twentieth Alaska State Legislature, 1998.

Resolve: LR062
Year: 1998
Source Bill: SCS HJR 52(RES)

Relating to opposition to the designation of any rivers in Alaska as American Heritage Rivers under the American Heritage Rivers initiative.

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

WHEREAS the President of the United States has by Executive Order 13061 created the American Heritage Rivers initiative; and

WHEREAS the initiative allows a local river community to nominate its river for designation by the President as an American Heritage River; and

WHEREAS the initiative provides no meaningful protection of state or private property along designated rivers; and

WHEREAS the initiative creates a new layer of federal bureaucracy and engages 12 federal agencies in its implementation;

BE IT RESOLVED that the Alaska State Legislature opposes any attempt by the federal government to further designate or label state property in Alaska or to further federalize public land in Alaska; and be it

FURTHER RESOLVED that the Alaska State Legislature opposes the nomination or designation of any river in Alaska as an American Heritage River under the American Heritage Rivers initiative.

COPIES of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; the Honorable Newt Gingrich, Speaker of the U.S. House of Representatives; Kathleen A. McGinty, Chair of the Council on Environmental Quality; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

4/17/98	3344	(S)	READ THE THIRD TIME SCS CHRJR 51 (RES)
4/17/98	3344	(S)	CROSS SPONSOR(S): HALFORD, TORGERSON,
4/17/98	3344	(S)	GREEN, LEMAN, TAYLOR, DUBCAN, ADAMS,
4/17/98	3344	(S)	LINCOLN, HOFFMAN, WARD, MACKIE, DONLEY,
4/17/98	3344	(S)	SHARP
4/17/98	3344	(S)	PASSED Y20 N-
4/17/98	3346	(S)	TRANSMITTED TO (H) AS AMENDED
4/18/98	3067	(H)	HELD UNDER UNFINISHED BUSINESS
4/20/98	3126	(H)	CONCUR AM OF (S) Y39 A1
4/27/98	3297	(H)	2:20 PM 4/24/98 TRANSMITTED TO GOVERNOR
5/09/98	3666	(H)	PERMANENTLY FILED 5/8 LEGIS RESOLVE 61

HJR 52
SCS HJR 52 (RES)

Relating to opposition to the designation of any rivers in
Alaska as American Heritage Rivers under the American
Heritage Rivers initiative.

SPONSOR(S): REPRESENTATIVE(S) JAMES, Barnes, Therriault, Austerman, Ogan
Green, Hodgins, Rokeberg, Williams, Ryan; SENATOR(S) Pearce, Kelly, Ward
Halford, Sharp, Taylor, Torgerson, Green, Leman, Miller

CURRENT STATUS: LEGIS RESOLVE 62 STATUS DATE: 5/08/98

JRN-DATE	JRN-PO		ACTION
1/26/98	2132	(H)	READ THE FIRST TIME - REFERRAL(S)
1/26/98	2132	(H)	RESOURCES
2/27/98	2450	(H)	RES RPT 8DP
2/27/98	2450	(H)	DP: DYSON, WILLIAMS, GREEN, BARNES,
2/27/98	2450	(H)	MASEK, OGAN, HUDSON, JOULE
2/27/98	2450	(S)	ZERO FISCAL NOTE (H.RES)
3/27/98	2771	(H)	RULES TO CALENDAR 3/27/98
3/27/98	2771	(H)	READ THE SECOND TIME
3/27/98	2771	(H)	ADVANCED TO THIRD READING UNAN CONSENT
3/27/98	2771	(H)	READ THE THIRD TIME HJR 52
3/27/98	2772	(H)	PASSED Y30 N2 E8
3/27/98	2776	(H)	COSPONSOR(S): OGAN, GREEN, HODGINS,
3/27/98	2776	(H)	ROKEBERG, WILLIAMS
3/27/98	2776	(H)	TRANSMITTED TO (S)
3/30/98	3048	(S)	READ THE FIRST TIME - REFERRAL(S)
3/30/98	3048	(S)	RESOURCES
4/07/98	3179	(S)	RES RPT SCS 6DP 1NR SAME TITLE
4/07/98	3179	(S)	DP: HALFORD, TAYLOR, SHARP, GREEN,
4/07/98	3179	(S)	TORGERSON, LEMAN, NR: LINCOLN
4/07/98	3180	(S)	(H) ZERO FN (H.RES)
4/18/98	3364	(S)	RULES TO CALENDAR 4/18/98
4/18/98	3365	(S)	READ THE SECOND TIME
4/18/98	3366	(S)	RES SCS ADOPTED UNAN CONSENT
4/18/98	3366	(S)	ADVANCED TO THIRD READING UNAN CONSENT
4/18/98	3366	(S)	READ THE THIRD TIME SCS HJR 52 (RES)
4/18/98	3366	(S)	CROSS SPONSOR(S): PEARCE, KELLY, WARD,
4/18/98	3366	(S)	HALFORD, SHARP, TAYLOR, TORGERSON,
4/18/98	3366	(S)	GREEN, LEMAN, MILLER
4/18/98	3366	(S)	PASSED Y15 N5
4/18/98	3370	(S)	TRANSMITTED TO (H) AS AMENDED
4/18/98	3067	(H)	HELD UNDER UNFINISHED BUSINESS
4/20/98	3124	(H)	CONCUR AM OF (S) Y32 N7 A1
4/20/98	3128	(H)	COSPONSOR: RYAN
4/23/98	3232	(H)	10:23 AM 4/23/98 TRANSMITTED TO GOVERNOR
5/09/98	3666	(H)	PERMANENTLY FILED 5/8 LEGIS RESOLVE 62

HJR 53
HJR 53 AM 8

Relating to support for federal legislation providing for
the continuation of the University of Alaska by the
conveyance of federal land to the university.

Attachment C

Legislative Resolve 13, Relating to support for the "American Land Sovereignty Protection Act" in the United States Congress, Twenty-first Alaska State Legislature, 1999.

Bill history for House Joint Resolution 15, Relating to support for the "American Land Sovereignty Protection Act" in the United States Congress, Twenty-first Alaska State Legislature, 1999.

Resolve: LR013

Year: 1999

Source Bill: CSHJR 15(RES)

Relating to support for the "American Land Sovereignty Protection Act" in the United States Congress.

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

WHEREAS the United Nations has designated 67 sites in the United States as "World Heritage Sites" or "Biosphere Reserves," which altogether are about equal in size to the State of Colorado, the eighth largest state; and

WHEREAS art. IV, sec. 3, United States Constitution, provides that the United States Congress shall make all needed regulations governing lands belonging to the United States; and

WHEREAS many of the United Nations' designations include private property inholdings and contemplate "buffer zones" of adjacent land; and

WHEREAS some international land designations such as those under the United States Biosphere Reserve Program and the Man and Biosphere Program of the United Nations Scientific, Educational, and Culture Organization operate under independent national committees such as the United States National Man and Biosphere Committee that have no legislative directives or authorization from the Congress; and

WHEREAS these international designations as presently handled are an open invitation to the international community to interfere in domestic economies and land use decisions; and

WHEREAS local citizens and public officials concerned about job creation and resource based economies usually have no say in the designation of land near their homes for inclusion in an international land use program; and

WHEREAS former Assistant Secretary of the Interior George T. Frampton, Jr., and the President used the fact that Yellowstone National Park had been designated as a "World Heritage Site" as justification for intervening in the environmental impact statement process and blocking possible development of an underground mine on private land in Montana outside of the park; and

WHEREAS a recent designation of a portion of Kamchatka as a "World Heritage Site" was followed immediately by efforts from environmental groups to block investment insurance for development projects on Kamchatka that are supported by the local communities; and

WHEREAS environmental groups and the National Park Service have been working to establish an International Park, a World Heritage Site, and a Marine Biosphere Reserve covering parts of western Alaska, eastern Russia, and the Bering Sea; and

WHEREAS, as occurred in Montana, such designations could be used to block development projects on state and private land in western Alaska; and

WHEREAS foreign companies and countries could use such international designations in western Alaska to block economic development that they perceive as competition; and

WHEREAS animal rights activists could use such international designations to generate pressure to harass or block harvesting of marine mammals by Alaska Natives; and

WHEREAS such international designations could be used to harass or block any commercial activity, including pipelines, railroads, and power transmission lines; and

WHEREAS the President and the executive branch of the United States have, by Executive Order and other agreements, implemented these designations without approval by the Congress; and

WHEREAS the United States Department of Interior, in cooperation with the Federal Interagency Panel for World Heritage, has identified the Aleutian Island Unit of the Alaska Maritime National Wildlife Refuge, Arctic National Wildlife Refuge, Cape Krusenstern National Monument, Denali National Park, Gates of the Arctic National Park, and Katmai National Park as likely to meet the criteria for future nomination as World Heritage Sites; and

WHEREAS the Alaska State Legislature objects to the nomination or designation of any World Heritage Sites or Biosphere Reserves in Alaska without the specific consent of the Alaska State Legislature; and

WHEREAS actions by the President in applying international agreements to lands owned by the United States may circumvent the Congress; and

WHEREAS Congressman Don Young introduced House Resolution No. 901 in the 105th Congress entitled the "American Land Sovereignty Protection Act of 1997" that required the explicit approval of the Congress prior to restricting any use of United States land under international agreements; and

WHEREAS Congressman Don Young has reintroduced this legislation in the 106th Congress as House Resolution No. 883, which is entitled the "American Land Sovereignty Protection Act";

BE IT RESOLVED that the Alaska State Legislature supports House Resolution 883, the "American Land Sovereignty Protection Act," that reaffirms the constitutional authority of the Congress as the elected representatives of the people over the federally owned land of the United States and urges the swift introduction and passage of such act by the 106th Congress; and be it

FURTHER RESOLVED that the Alaska State Legislature objects to the nomination or designation of any sites in Alaska as World Heritage Sites or Biosphere Reserves without the prior consent of the Alaska State Legislature.

COPIES of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

SPONSOR(S): REPRESENTATIVES(S) JAMES, Bunde, Austerman, Therriault

CURRENT STATUS: LEGIS RESOLVE 13 STATUS DATE: 5/11/99

Jrn-Date	Jrn-Page	Action
2/17/99	236	(H) READ THE FIRST TIME - REFERRAL(S)
2/17/99	236	(H) WTR. RES
3/05/99	363	(H) WTR RPT CS(WTR) NT 5DP
3/05/99	363	(H) DP: MASEK, PHILLIPS, GREEN, CONDERY,
3/05/99	363	(H) BARNES
3/05/99	363	(H) ZERO FISCAL NOT E (H. WTR/ALL DEPTS)
3/24/99	546	(H) RES RPT CS(RLS) NT 1DP 1NR
3/24/99	546	(H) DP: SANDERS, OGAN, BARNES, MORGAN;
3/24/99	546	(H) NR: JOULE
3/24/99	546	(H) ZERO FN (H.WTR/ALL DEPTS) 3/5/99
3/31/99	632	(H) RULES TO CALENDAR 3/31/99
3/31/99	632	(H) READ THE SECOND TIME
3/31/99	633	(H) RES CS ADOPTED UNAN CONSENT
3/31/99	633	(H) ADVANCED TO THIRD READING UNAN CONSENT
3/31/99	633	(H) READ THE THIRD TIME CSHJR 15(RES)
3/31/99	633	(H) PASSED Y31 N6 E1 A2
3/31/99	641	(H) COSPONSOR(S): BUNDE, AUSTERMAN,
3/31/99	641	(H) THERRIAULT
3/31/99	642	(H) TRANSMITTED TO (S)
4/01/99	765	(S) READ THE FIRST TIME - REFERRAL(S)
4/01/99	765	(S) RES
4/26/99	1087	(S) RES RPT 3DP 2NR
4/26/99	1087	(S) DP: TAYLOR; PETE KELLY, GREEN;
4/26/99	1087	(S) NR: MACKIE, LINCOLN
4/26/99	1087	(S) HOUSE ZERO FN (H.WTR/ALL DEPTS)
5/06/99	1272	(S) RULES TO CALENDAR AND 1 OR 5/6/99
5/06/99	1275	(S) READ THE SECOND TIME
5/06/99	1275	(S) ADVANCED TO THIRD READING UNAN CONSENT
5/06/99	1275	(S) READ THE THIRD TIME CSHJR 15(RES)
5/06/99	1276	(S) PASSED Y15 N5
5/06/99	1276	(S) RETURN TO (H), TRANSMIT TO GOVERNOR NEXT
5/10/99	1306	(H) 1:30 PM 5/10/99 TRANSMITTED TO GOVERNOR
5/12/99	1334	(H) PERMANENTLY FILED 5/11 LEGIS RESOLVE 13

BJR 16

Congratulating the government and the people of the new Canadian territory of Nunavut.

SPONSOR(S): REPRESENTATIVES(S) JAMES, Joule, Morgan, Green

CURRENT STATUS: (H) WTR STATUS DATE: 2/22/99

Jrn-Date	Jrn-Page	Action
2/22/99	277	(H) READ THE FIRST TIME - REFERRAL(S)
2/22/99	277	(H) WTR, STA
3/03/99	349	(H) COSPONSOR(S): MORGAN
3/17/99	498	(H) COSPONSOR(S): GREEN

BJR 15

CSHJR 15(RES)

Relating to support for the "American Land Sovereignty Protection Act" in the United States Congress.

LEGIS RESOLVE 12

DANGERS OF DESIGNATIONS

REGIONAL, FEDERAL, STATE AND INTERNATIONAL LAND-USE INTRUSIONS *National/American Heritage Areas, UN Biosphere Reserves and UN World Heritage Sites*

Myths

The Designation of National American Heritage Areas is merely honorary and has no regulatory power.

The designation of UN Biosphere Reserves is for research and education only.

The designation of UN World Heritage Sites does not bring foreign influence over land in the United States.

The designations are to promote tourism.

According to United Nations testimony before Congress, local officials are always consulted before Biosphere Reserves are proposed.

Reality

Congressional bills and federal laws for **National or American Heritage Areas** require a contract between the state government regional entity and the U.S. Secretary of Interior to manage the land-use of the region for preservation. This means federal control of zoning, either directly, by the terms of the "management compact," or indirectly, by the use of funds dispensed by preservation agencies to influence zoning under a seductive porkbarrel system, the iron-clad zoning is enforced locally, with home-rule seemingly preserved, but private property owners' rights diminished and locally generated land-use patterns foreclosed.

The preponderance of research (published in specialized journals) about **Biosphere Reserves** is about "restoring" rural areas so that human influence on nature is eliminated. The "international significance" of the designated region is trumpeted by the national environmental groups to lobby for government land acquisition and more "environmental" restrictions on land-use.

Exactly what people feared happened near Yellowstone National Park, which is a **World Heritage Site**. When environmentalists acting in conjunction with the Clinton Administration persuaded UNESCO to declare the park a "World Heritage Site in Danger," United Nations officials flew to the U.S. from Paris to complain about a gold & copper mine that was planned outside the park, but inside an area the environmentalists call "Greater Yellowstone." President Clinton himself then stopped the environmental impact review required under the National Environmental Protection Act (NEPA) from being completed and disapproved the mine based on the UN World Heritage Committee's recommendation.

If the stated purpose of tourism succeeds for the **National Heritage Areas**, of which over 200 are proposed (encompassing much of the West, the entire 2,500-mile Mississippi River and adjacent counties, and most of the land east of the Mississippi), the United States will theoretically become one vast "heritage" tourism complex, to the detriment of productive, less "beautiful" industries, agriculture and forestry. In addition, for **Biosphere Reserves** and **World Heritage Sites** to be successful, areas must be off-limits to hunting, and many roads used by hunters and tourists closed. Tourism is one of the first sectors to suffer from recessions and depressions. Much tourism is both weather-dependent and seasonal, and tourism jobs are predominately low-paid. The only things that are "sustainable" are the views that new restrictions protect. Flexibility to respond economically is lost. Most communities cannot afford to focus a large part of their resources on their past heritage. Communities with sagging economies become run-down and uninviting. Preservation zoning and lack of jobs force ordinary people to move away, whereby wealthier people may move in and gentrify the area without generating a productive local economy.

When state and local elected officials in New York learned from property rights activists about the secret proposal to designate the Catskill Mountains Biosphere Reserve, they were angry, and the application ultimately had to be withdrawn from the U.S. Department of State. **Biosphere Reserve** applications are usually done secretly, and local people and their elected representatives excluded from information.

Over...

Dangers of Designations continued

Myths

UN Biosphere Reserves and World Heritage Sites are approved only after public hearings and Congressional vote.

The Biosphere Reserve and World Heritage Site programs have potentially little impact on government or private property.

UN Biosphere Reserves and World Heritage Site designations present no threat to American sovereignty.

Reality

The U.S. Congress failed to pass the legislation (H.R. 2379) to establish the Biosphere Reserve system when it was proposed in 1983. The World Heritage Convention was ratified by the U.S. Senate in 1973. Working in conjunction with the National Park Service, the Department of State does not consult Congress before designating individual Biosphere Reserves or World Heritage Sites. Neither of these agencies, nor Congress, holds public hearings and no Congressional vote takes place before the UN sites are designated.

There are 47 Biosphere Reserves and 20 World Heritage Sites in the United States. The designations involve not only government, but private property. The largest Biosphere Reserve in the U.S. is the 10-million acre, secretly designated Champlain-Adirondack Biosphere Reserve. Private landowners were not notified and their permission was not granted for the designation, but environmental groups quickly publicized it among their members, who thereupon lobbied for stricter environmental regulations of the private land in the region. Official goals for "core" and "buffer" regions of Biosphere Reserves and for World Heritage Sites are not consistent with the continued population of the regions.

"I think it perfectly understandable that people are concerned that when you set up a program, when you give it a designation, where you as international authorities recognize it, the implication is that down the road when there are conflicts, somebody's going to be leaned on, and the authority for this, at least the moral authority for this, will be an invocation of some very dubious international authority."

- Dr. Jeremy Rabkin, Associate Professor, Cornell University, from testimony before the U.S. House of Representatives, Committee on Resources Sept. 12, 1996, on the American Land Sovereignty Protection Act.



AVAILABLE FROM

THE PROPERTY RIGHTS FOUNDATION OF AMERICA:

National Heritage Areas
(Positions on Property, Jan-Apr 1996)..... \$3.00 p.pd.

The National Park Service, No. 2 - UNESCO Biosphere Reserves
(Positions on Property, Jan-Mar 1995, 12pp. .. \$3.00 p.pd.

The American Heritage Areas
Background Brief, July 1995, 2 pp free

Building & Zoning Codes
(Positions on Property May-Dec. 1996, 32pp) .. \$6.00 p.pd.

Single copies priced as listed. Please enquire for multiple copies.

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The Property Rights Foundation of America, Inc.
P.O. Box 75, Stony Creek, NY 12878 (518) 696-5748

The Property Rights Foundation of America, Inc. is a national, New York-based not-profit organization dedicated to the right to own and use private property guaranteed in the United States Constitution.

The Foundation publishes *Positions on Property* (\$25.⁰⁰ yearly), a quarterly journal of information, analysis and ideas on private property rights, and the *New York Property Rights Clearinghouse* (\$25.⁰⁰ yearly), a quarterly newsletter of current information on property rights across New York and the Northeast.

