

12041 SENATE

RESOURCES

HJR

17

SENATE RESOURCES PACKET

JAN. 25, 2006

HJR 17 Packet – Sponsor Materials

- Cover Sheet _____ 1 page
- Sponsor Statement (dated 1/19/06) _____ 1 page
- CS HJR 17 (RES) _____ 3 pages
- Original Bill _____ 3 pages
- #1 Fiscal Note ADF&G _____ 1 page

Total pages _____ 9 pages

ALASKA STATE LEGISLATURE

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REPRESENTATIVE JIM ELKINS

January 19, 2006

Sponsor Statement for HJR 17, "Opposing the 'Federal Lands Recreation Enhancement Act'"

House Joint Resolution 17, "Opposing the 'Federal Lands Recreation Enhancement Act'," expresses the desire of the Alaska State Legislature.

Also known as the Recreational Access Tax, this act allows the Forest Service, Bureau Land Management, Fish and Wildlife Service, National Park Service, and Bureau of Reclamation to charge fees for recreational use of federally managed land by the general public. Once enacted, access fees will be required in order to enter onto certain lands. Failure to comply with these "access fees" can result in substantial fines and criminal penalties.

The federal government is the largest landowner in Alaska, managing over 2/3's of our total acreage. Approximately 80 million acres have been set aside for public use; and include national parks, wildlife refuges, and national forests.

Fees imposed by this act are regressive and place an undue burden on the people living in rural areas and surrounded by these federal lands.

The Montana, Oregon, and Colorado State Legislatures have already passed resolutions demanding the U.S. Congress to repeal the Federal Lands Recreation Enhancement Act. Today, we ask you to support HJR 17, and express our opposition toward the Federal Lands Recreation Enhancement Act.

**CS FOR HOUSE JOINT RESOLUTION NO. 17(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION**

BY THE HOUSE RESOURCES COMMITTEE

Offered: 5/3/05

Referred: Rules

Sponsor(s): REPRESENTATIVE ELKINS

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

11 **WHEREAS** the Federal Lands Recreation Enhancement Act includes criminal
12 penalties and is substantive legislation that fundamentally changes the way public land in the
13 state is funded and managed; and

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

delete

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

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

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

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

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

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

22 **BE IT RESOLVED** that the Alaska State Legislature calls on the United States
 23 Congress to repeal the Federal Lands Recreation Enhancement Act, which was enacted on
 24 December 8, 2004, and to ensure that no recreational fees be imposed to use federal public
 25 land in the state.

26 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
 27 of the United States; the Honorable Richard B. Cheney, Vice-President of the United States
 28 and President of the U.S. Senate; the Honorable Gale Norton, United States Secretary of the
 29 Interior; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the
 30 Honorable Bill Frist, Majority Leader of the U.S. Senate; the Honorable Harry Reid, Minority
 31 Leader of the U.S. Senate; the Honorable Tom DeLay, Majority Leader of the U.S. House of

1 Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of
2 Representatives; the Honorable Ted Stevens and the Honorable a Murkowski, U.S.
3 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
4 delegation in Congress; and, by electronic transmission, all other members of the 109th
5 United States Congress.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 251
 (H) Publish Date: 4/11/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title An Act Authorizing the Board of Fisheries to Adopt RDU Administrative Services
 Component Boards Support
 Sponsor Representative Samuels
 Requester House Fisheries Committee Component No. 148

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						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF						
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 (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation would have no fiscal impact.

Prepared by: Sarah Gilbertson Phone 465-6137
 Division: Legislative Liaison Date/Time 04/07/05 8:35 a.m.
 Approved by: McKie Campbell, Commissioner Date 4/7/2005
 Agency: Alaska Department of Fish & Game

ALASKA STATE LEGISLATURE



Official Business

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Senator Kim Elton

Senator Fred Dyson

Senator Bert Stedman

Senator Albert Kookesh

DATE: January 26, 2006

TO: Tam Cook, Legislative Legal

FROM: Mary Jackson – Staff for Senate Resources

RE: HJR 17 (24-LS0847\Y)

Please provide a Senate Resources Committee substitute which:

1. on page 1, line 16, deletes "of the state" and
2. on page 2, line 31, deletes "the honorable Tom DeLay,"

Thanks for your time and effort.