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Representative Beverly Masek

Sponsor Statement for HB 159

Relating to the management of State Lands

Alaska's constitution and statutes clearly indicate that the management of state lands is the province of the State Legislature. It is true that much of the day to day responsibilities for management of our lands and waters has been transferred by statute to the Department of Natural Resources; however, the responsibility for overall policy remains with the Legislature.

Alaska's statutes also provide that the designation of lands as parks, recreation areas, public use areas, refuges, etc. shall be done by the Legislature. We have all seen firsthand the problems that may be encountered when those responsibilities are extended to the Executive Branch. The Clinton administration's unabashed use of executive authority to lock up lands for special interest groups clearly demonstrates how the will of the people, as represented by the Legislative Branch may be thwarted by a single individual.

We have a similar problem here in Alaska that allows the managers at the Department of Natural Resources to ignore the constitution and the public process and unilaterally create parks through a mechanism know as an Interagency Land Management Agreement (ILMA). Since the current administration has come to power, the use of this arrangement has escalated, and has circumvented the public process.

HB 159 if it should become law, would prohibit large scale ILMA's from taking place and would once again force bureaucrats to follow the public process laid out in statute for the creation of parks. It does not take away the DNR's authority to continue to place small parcels under Park's management as needed, it merely prohibits large withdrawals that should without doubt be handled through legislation as required by law.