

Assembly Joint Resolution

No. 21

Introduced by Assembly Member Portantino

March 14, 2007

Assembly Joint Resolution No. 21—Relative to the Federal Lands Recreation Enhancement Act.

LEGISLATIVE COUNSEL'S DIGEST

AJR 21, as introduced, Portantino. Federal Lands Recreation Enhancement Act.

This measure would memorialize the President and the Congress of the United States to repeal the Federal Lands Recreation Enhancement Act which allows the United States Forest Service, Bureau of Land Management, Fish and Wildlife Service, National Park Service, and Bureau of Reclamation to charge visitors fees for recreation on publicly owned land under their management.

Fiscal committee: no.

1 WHEREAS, In 2004, Congress authorized H.R. 3283, the
2 Federal Lands Recreation Enhancement Act (act), which allows
3 the United States Forest Service, Bureau of Land Management,
4 Fish and Wildlife Service, National Park Service, and Bureau of
5 Reclamation to charge visitors fees for recreation on publicly
6 owned land under their management; and

7 WHEREAS, H.R. 3283 was never approved by the United States
8 House of Representatives, never had hearings, and was never
9 approved by the United States Senate, but was instead attached to
10 omnibus spending bill H.R. 4818 as an appropriations rider; and

1 WHEREAS, The act fundamentally changes the way America's
2 public lands are funded and managed; and

3 WHEREAS, These recreational fees constitute double taxation
4 and bear no relationship to the actual costs of certain types of
5 recreation such as hiking, picnicking, observing wildlife, or scenic
6 driving on state and county roads and public rights-of-way; and

7 WHEREAS, The concept of paying fees to use public lands is
8 contrary to the idea that public lands belong to the American people
9 and are places where everyone is granted access and is welcome,
10 a concept that has been and should remain in place; and

11 WHEREAS, The fees imposed by the act are a regressive tax
12 that places an undue burden on the people living in rural areas
13 adjacent to or surrounded by large areas of federal land, and
14 discriminate against lower-income and working Americans by
15 placing financial obstacles in the way of their enjoyment of publicly
16 owned land; and

17 WHEREAS, These public land access fees have been highly
18 controversial and are opposed by hundreds of organizations, county
19 governments, several state legislatures, and by millions of rural
20 Americans; and

21 WHEREAS, The act establishes an interagency pass to be used
22 to cover entrance fees and recreational fees for federal lands and
23 waters, disregarding the substantially different ways in which
24 national parks and other federal public lands are managed and
25 funded; and

26 WHEREAS, The limited means of expressing opposition to,
27 and the lack of public debate in the implementation of, the fee
28 program raises the concern that some citizens may be deterred
29 from visiting and enjoying public lands in California and
30 throughout the United States; and

31 WHEREAS, Tourism is an important industry to California,
32 and recreational fees will have a negative impact on the state and
33 local economies; now, therefore, be it

34 *Resolved by the Assembly and the Senate of the State of*
35 *California, jointly*, That the Legislature respectfully memorializes
36 the President and the Congress of the United States to repeal the
37 Federal Lands Recreation Enhancement Act, and that recreational
38 fees not be imposed on federal lands within the State of California
39 under the Federal Lands Recreation Enhancement Act, except in
40 national parks; and be it further

1 *Resolved*, That the Chief Clerk of the Assembly transmit copies
2 of this resolution to the President and Vice President of the United
3 States, to the Speaker of the United States House of
4 Representatives, and to each Senator and Representative from
5 California in the Congress of the United States.

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