

Assembly Joint Resolution

No. 52

Introduced by Assembly Member Poochigian

February 14, 1996

Assembly Joint Resolution No. 52—Relative to the federal Endangered Species Act of 1973.

LEGISLATIVE COUNSEL'S DIGEST

AJR 52, as introduced, Poochigian. Endangered species.

This measure would memorialize the Congress to enact and the President to approve and sign legislation that requires that any mitigation, enhancement, or restoration activity undertaken for impacts on endangered or threatened species be first performed utilizing public lands before any private lands are used for those purposes.

Fiscal committee: no.

1 WHEREAS, In 1973, the Congress of the United States
2 enacted the Endangered Species Act of 1973 (16 U.S.C.
3 Sec. 1531, et seq.); and

4 WHEREAS, The majority of land in California is
5 publicly owned and should be the first priority in the
6 order of preference for any mitigation, enhancement, or
7 restoration required by the federal Endangered Species
8 Act of 1973 before privately owned land is used for those
9 purposes; and

10 WHEREAS, There may be times that mitigation of
11 impacts on endangered or threatened species by human
12 activities may be appropriate, but, whenever feasible, it



1 should be accomplished on public lands, so that the
2 economic viability of additional privately owned land is
3 not affected, or removed from the property tax base that
4 funds the public payroll; now, therefore, be it

5 *Resolved by the Assembly and Senate of the State of*
6 *California, jointly,* That the Legislature of the State of
7 California respectfully memorializes the Congress of the
8 United States to enact, and the President to approve and
9 sign, legislation that requires that any mitigation,
10 enhancement, or restoration activity undertaken for
11 impacts on endangered or threatened species be first
12 performed utilizing public lands before any private lands
13 are used for those purposes; and be it further

14 *Resolved,* That the Chief Clerk of the Assembly
15 transmit copies of this resolution to the President and
16 Vice President of the United States, to the Speaker of the
17 House of Representatives, and to each Senator and
18 Representative from California in the Congress of the
19 United States.

