

Law-6

99 LSO - 0464

6

HOUSE JOINT RESOLUTION

0013

HOUSE JOINT RESOLUTION 0013

Title:

HJ0013 Prohibition on climbing pitons.

A JOINT RESOLUTION in support of a proposed resolution by some members of Congress requesting the United States Forest Service to reconsider its proposed rulemaking regarding whether to continue the permission for the continued use of fixed anchors for mountain climbing in wilderness areas.

E. Lawrence Law

Introduced by:

HOUSE ACTION ON HOUSE BILL

1/22 ☒ Introduced
 Aye ___ No ___ Ex ___ Ab ___
☒ Read First Time and Ref. to Committee No. 06
☐ Failed Introduction
 Aye ___ No ___ Ex ___ Ab ___
1/26 Returned from Committee No. 06
 with Recommendation:
☐ Do Pass; ☒ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. ___
 Re-referred to Committee No. ___
 Returned from Committee No. ___
 with Recommendation:
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. ___
2/5 Considered in Comm. of Whole
☒ Amended
☒ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
2/8 Read Second Time
☐ Amended
☒ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
2/9 Read Third Time
☐ Amended
☒ Passed ☐ Failed
 Aye 21 No 03 Ex 01 Ab 0
☐ Held for Reconsideration
☐ Motion to Reconsider
☐ Passed ☐ Failed
 Aye ___ No ___ Ex ___ Ab ___
☐ Third Reading Vote
 (On Reconsideration)
☐ Passed ☐ Failed
 Aye ___ No ___ Ex ___ Ab ___
☐ Sent to Senate (No Amendments)
2/9 Sent to LSO for Engrossing
2/9 ENGROSSED
2/10 Sent to Senate

SENATE ACTION ON HOUSE BILL

2/10 Received. Read First Time.
 Referred to Committee No. 6
2/26 Returned from Committee No. 6
 with Recommendation: Just in Comm.
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. ___
 Re-referred to Committee No. ___
 Returned from Committee No. ___
 with Recommendation:
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. ___
☐ Considered in Comm. of Whole
☐ Amended
☐ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
☐ Read Second Time
☐ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
☐ Read Third Time
☐ Amended
☐ Passed ☐ Failed
 Aye ___ No ___ Ex ___ Ab ___
☐ Held for Reconsideration
☐ Motion to Reconsider
☐ Passed ☐ Failed
 Aye ___ No ___ Ex ___ Ab ___
☐ Third Reading Vote
 (On Reconsideration)
☐ Passed ☐ Failed
 Aye ___ No ___ Ex ___ Ab ___
☐ Sent to House
☐ Sent for Enrolling
 HEA No. ___
☐ Signed by Speaker
☐ Signed by President
☐ Approved by Governor
 Chapter No. ___

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, January 26, 1999
1:35pm

Mr. Speaker:

Your
Committee No. 6 on TRAVEL, RECREATION & WILDLIFE to whom was referred
HJ0013 respectfully reports same back to the House with the
recommendation that it
DO PASS with the following amendment(s): (SEE SCHEDULE A)

	AYES	NOES	ABSENT	EXCUSED	CONFLICT
LAW	X				
PHILP	X				
NELSON	X				
WOSTENBERG	X				
SAMUELSON	X				
TOMASSI	X				
BERRY		X			
LANDON		X			
McGRAW		X			

AYES = 6
NOES = 3
ABSENT = 0
EXCUSED = 0
CONFLICT = 0
TOTAL = 9

.....
Representative Clarene Law, Chairman

BILL JACKET

PROPHJ0013HC0601

SCHEDULE A

1	Page 2-line 11	Delete "Mike Dombeck," insert "the".
2		
3	Page 2-line 21	After "to" insert "the"; delete "Dombeck"
4		insert "of the Forest Service".
5		
6	Page 4-line 5	Delete "Mike Dombeck," insert "the". LAW,
7		CHAIRMAN

HJ0013HS001

- 1 ✓ Page 2-line 11 Delete "Mike Dombeck," insert "the". ✓
2
3 ✓ Page 2-line 21 After "to" insert "the"; delete "Dombeck" ✓
4 insert "of the Forest Service".
5
6 ✓ Page 4-line 5 Delete "Mike Dombeck," insert "the". LAW, ✓
7 CHAIRMAN

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
GENERAL SESSION
1999

SEQUENCE : 4239

FEBRUARY 9 1999

BILL : HJ0013
AMENDMENT:

10:29 AM

MOVED BY :
TITLE1 :
TITLE2 :
ACTION : THIRD READING CONSENT

SECONDED BY:

ANDERSON, J....	A	NAGEL.....	A
ANDERSON, R....	A	NELSON.....	A
BADGETT.....	A	NICHOLAS.....	A
BAKER.....	A	OSBORN.....	A
BERRY.....	N	PARADY.....	A
BOSWELL.....	A	PASENEAUX.....	A
BURNS.....	A	PHILP.....	A
CASADY.....	E	RARDIN.....	A
CHILDERS.....	A	REESE.....	A
COHEE.....	A	ROBINSON.....	A
DEEGAN.....	A	ROSE, J.....	A
DIERCKS.....	A	ROSE, T.....	A
ESQUIBEL.....	A	ROSS.....	A
EYRE.....	A	ROUNDS.....	A
FLEMING.....	A	RYCKMAN.....	A
HAGEMAN.....	A	SAMUELSON.....	A
HESSENTHALER...	N	SHIVLER.....	A
HINES.....	A	SIMONS.....	A
HUCKFELDT.....	A	SIMPSON.....	A
ILLOWAY.....	A	SMITH.....	A
JOHNSON, L.....	A	STAFFORD.....	A
JOHNSON, W.....	A	TANNER.....	A
LANDON.....	A	TEMPEST.....	A
LAW.....	A	TIPTON.....	A
LUTHI.....	A	TOMASSI.....	A
MCGRAW.....	N	WASSERBURGER...	A
MCMURTREY.....	A	WILLFORD.....	A
MCOMIE.....	A	WOSTENBERG.....	A
MEULI.....	A	ZANETTI.....	A
MORGAN.....	A	BEBOUT, MR SPKR	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 56
NOES : 3
EXCUSED : 1
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

2-5-99

AMENDMENT LIST

DATE ~~2-4-99~~ BILL NO. HJ 0013 Circle One: COW 2nd 3rd

HJ 001/A

HOUSE JOINT RESOLUTION NO. HJ0013

INTRODUCED

Prohibition on climbing pitons.

Sponsored by: Representative(s) Law, Badgett, McOmie,
Shivler, Tipton and Wostenberg and
Senator(s) Barton and Hawks

A Bill

for

1 A JOINT RESOLUTION in support of a proposed resolution by
2 some members of Congress requesting the United States Forest
3 Service to reconsider its proposed rulemaking regarding
4 whether to continue the permission for the continued use of
5 fixed anchors for mountain climbing in wilderness areas.

6
7 WHEREAS, the United States Forest Service has proposed
8 to commence a "negotiated rulemaking" process on whether to
9 permit the continued use of fixed anchors which have
10 historically been used in mountain climbing in wilderness
11 areas;

12
13 WHEREAS, the "negotiated rulemaking" process is the
14 result of the attempt of the Forest Service to ban all
15 climbing anchors in wilderness without any public
16 participation process;

17

1 WHEREAS, United States Representative Barbara Cubin of
2 Wyoming joined with Representative Sam Farr of California in
3 a letter to all members of Congress, stating her concern
4 "that the Forest Service's position on this issue advances a
5 misguided interpretation of the 1964 Wilderness Act and is
6 not in the public interest concerning safety or access."
7 (September 28, 1998);

8
9 WHEREAS, as a result of her efforts, a bi-partisan
10 letter, signed by 21 Republicans and 20 Democrats, was
11 directed to Mike Dombeck, Chief of the Forest Service,
12 stating their position that climbing anchors should continue
13 to be permitted in Wilderness areas;

14
15 *Now, Therefore, Be It Resolved By The Members of the*
16 *Legislature of the State of Wyoming:*

17
18 **Section 1.** That the Wyoming Legislature joins with
19 Representative Cubin and the other 40 members of Congress,
20 and in the same language stated by them, adopts the
21 following resolution addressed to Chief Dombeck:

22
23 We do not believe there is any conflict
24 between protecting wilderness values and
25 permitting reasonably safe climbing in wilderness.

1 Climbing is an historic and unique use of
2 wilderness, and "fixed" safety anchors are
3 necessary to meet minimum requirements for
4 administration of wilderness climbing. We urge
5 you to consider that leaving a fixed anchor is
6 possibly a climber's only option in descent from
7 the summit of a climb or mid-route in the case of
8 an emergency, such as injury or storm. Climbing
9 anchors have been left in place--on an occasional
10 and widely dispersed basis--in what are now
11 wilderness areas since the beginning of this
12 century; this standard should be preserved.

13

14 **Section 2.** That the Forest Service should conclude
15 that climbing safety anchors are not prohibited by the
16 Wilderness Act, and establish an acceptable policy for
17 managing technical climbing in wilderness areas that both
18 protect wilderness values and provide for the reasonably
19 safe enjoyment of wilderness by climbers.

20

1 **Section 3.** That the Secretary of State of Wyoming
2 transmit copies of this resolution to the President of the
3 United States, to the President of the Senate and the
4 Speaker of the House of Representatives of the United States
5 Congress, to Mike Dombeck, Chief of the United States Forest
6 Service and to the Wyoming Congressional delegation.

7

8

(END)

Prohibition on climbing
pitons.

99LSO-0464.L2

FISCAL NOTE

No fiscal or personnel impact.

HGR 13

HOUSE JOINT RESOLUTION NO. HJ0013

Prohibition on climbing pitons.

Sponsored by: Representative(s) Law, Badgett, McOmie,
Shivler, Tipton and Wostenberg and
Senator(s) Barton and Hawks

A Bill

for

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4 whether to continue the permission for the continued use of
5 fixed anchors for mountain climbing in wilderness areas.

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7 WHEREAS, the United States Forest Service has proposed
8 to commence a "negotiated rulemaking" process on whether to
9 permit the continued use of fixed anchors which have
10 historically been used in mountain climbing in wilderness
11 areas;

12

13 WHEREAS, the "negotiated rulemaking" process is the
14 result of the attempt of the Forest Service to ban all
15 climbing anchors in wilderness without any public
16 participation process;

1

2 WHEREAS, United States Representative Barbara Cubin of
3 Wyoming joined with Representative Sam Farr of California in
4 a letter to all members of Congress, stating her concern
5 "that the Forest Service's position on this issue advances a
6 misguided interpretation of the 1964 Wilderness Act and is
7 not in the public interest concerning safety or access."
8 (September 28, 1998);

9

10 WHEREAS, as a result of her efforts, a bi-partisan
11 letter, signed by 21 Republicans and 20 Democrats, was
12 directed to the Chief of the Forest Service, stating their
13 position that climbing anchors should continue to be
14 permitted in Wilderness areas;

15

16 Now, Therefore, Be It Resolved By The Members of the
17 Legislature of the State of Wyoming:

18

19 **Section 1.** That the Wyoming Legislature joins with
20 Representative Cubin and the other 40 members of Congress,
21 and in the same language stated by them, adopts the
22 following resolution addressed to the Chief of the Forest
23 Service:

24

1 We do not believe there is any conflict
2 between protecting wilderness values and
3 permitting reasonably safe climbing in wilderness.
4 Climbing is an historic and unique use of
5 wilderness, and "fixed" safety anchors are
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20 managing technical climbing in wilderness areas that both
21 protect wilderness values and provide for the reasonably
22 safe enjoyment of wilderness by climbers.

23

1 **Section 3.** That the Secretary of State of Wyoming
2 transmit copies of this resolution to the President of the
3 United States, to the President of the Senate and the
4 Speaker of the House of Representatives of the United States
5 Congress, to the Chief of the United States Forest Service
6 and to the Wyoming Congressional delegation.

7

8

(END)

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
GENERAL SESSION
1999

SEQUENCE : 4232

FEBRUARY 9 1999

BILL : CONSENT LIST
AMENDMENT:

10:26 AM

MOVED BY :
TITLE1 : HB201,302,HJ4,5,8,9,13
TITLE2 :
ACTION : THIRD READING CONSENT

SECONDED BY:

ANDERSON, J....	A	NAGEL.....	A
ANDERSON, R....	A	NELSON.....	A
BADGETT.....	A	NICHOLAS.....	A
BAKER.....	A	OSBORN.....	A
BERRY.....	A	PARADY.....	A
BOSWELL.....	A	PASENEAUX.....	A
BURNS.....	A	PHILP.....	A
CASADY.....	E	RARDIN.....	A
CHILDERS.....	A	REESE.....	A
COHEE.....	A	ROBINSON.....	A
DEEGAN.....	A	ROSE, J.....	A
DIERCKS.....	A	ROSE, T.....	A
ESQUIBEL.....	A	ROSS.....	A
EYRE.....	A	ROUNDS.....	A
FLEMING.....	A	RYCKMAN.....	A
HAGEMAN.....	A	SAMUELSON.....	A
HESSENTHALER...	A	SHIVLER.....	A
HINES.....	A	SIMONS.....	A
HUCKFELDT.....	A	SIMPSON.....	A
ILLOWAY.....	A	SMITH.....	A
JOHNSON, L.....	A	STAFFORD.....	A
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MCMURTREY.....	A	WILLFORD.....	A
MCOMIE.....	A	WOSTENBERG.....	A
MEULI.....	A	ZANETTI.....	A
MORGAN.....	A	BEBOUT, MR SPKR	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 59
NOES : 0
EXCUSED : 1
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT