HOUSE CS FOR CS FOR SENATE BILL NO. 247(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 5/4/96
Referred: Finance

Sponsor(s): SENATORS TAYLOR, Sharp, Miller

A BILL

FOR AN ACT ENTITLED

"An Act restricting the use of certain funds deposited in the fish and game fund; and relating to the powers and duties of the commissioner of fish and game."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 16.05.050 is amended by adding a new paragraph to read:

(20) to cooperate with sportsmen’s organizations and other organizations to increase game populations in the state and to expand indigenous populations into suitable habitat.

* Sec. 2. AS 16.05.130(a) is repealed and reenacted to read:

(a) Notwithstanding any other law to the contrary, except as provided in (c) of this section, money accruing to the state from sport fishing, hunting, and trapping licenses or tag fees shall be expended only as provided by appropriation. Money subject to this subsection

(1) shall be used only for projects that provide for
(A) intensive management of game populations for maximum sustained yield by human harvest;

(B) propagation, reintroduction, restocking, transplantation, manipulation of habitat, predator removal, hunter education, wildlife education, public access to sport fishing and hunting areas, or restoration of sport fish and game resources;

(C) direct benefits to purchasers of sport fishing, hunting, and trapping licenses and tags that may enhance sport fish stocks and game populations for purposes of increasing opportunities for human harvests of sport fish and game;

(D) conservative management of sport fish stocks for high quality recreational fisheries, including catch and release fisheries and trophy fisheries;

(E) construction and preservation of shooting ranges; or

(F) administration of the fish and game license function and payment of license vendor compensation; and

(2) may not be

(A) expended for projects in an area where consumptive uses of sport fish and game are not allowed, except in cases where educational efforts are evident that support sport fishing, hunting, trapping, and related management;

(B) expended, borrowed, or otherwise used for a purpose not authorized under this subsection;

(C) expended for costs of personnel or administration, other than costs of personnel or administration directly incurred in conjunction with projects allowed under this subsection, except under a general indirect recovery provision; or

(D) expended for costs of construction, other than costs of construction projects that are consistent with (1) of this subsection and that are for

(i) facilities used solely for the propagation of sport fish
or game for restocking, enhancement, or transplantation;

(ii) shooting ranges;

(iii) facilities to improve public access to areas where consumptive uses of sport fish and game may occur; or

(iv) educational programs, associated with designated areas, that support sport fishing, hunting, trapping, and related management.

* Sec. 3. AS 16.05.130(b) is amended to read:

(b) Money accruing to the state from waterfowl conservation tag fees from hunters may not be diverted to a purpose other than (1) the [CONSERVATION AND] enhancement of waterfowl; (2) the acquisition, by lease or otherwise, of wetlands that are important for waterfowl and for consumptive uses [PUBLIC USE] of waterfowl in the state; and (3) projects related to consumptive uses of waterfowl [WATERFOWL RELATED PROJECTS APPROVED BY THE COMMISSIONER; (4) THE ADMINISTRATION OF THE WATERFOWL CONSERVATION PROGRAM; AND (5) EMERGENCIES IN THE STATE AS DETERMINED BY THE GOVERNOR]. The department shall maintain a state waterfowl tag fee account within the fish and game fund to permit separate accounting records for the receipt and expenditure of money derived from the sale of waterfowl tags. [THE DEPARTMENT SHALL PREPARE A REPORT BEFORE APRIL 15 OF EACH EVEN-NUMBERED YEAR FOR THE PUBLIC AND THE LEGISLATURE ON THE USE OF MONEY DERIVED FROM WATERFOWL CONSERVATION TAGS AND LIMITED EDITION PRINTS. THE DEPARTMENT SHALL NOTIFY THE LEGISLATURE THAT THE REPORT IS AVAILABLE.]

* Sec. 4. AS 16.05.130 is amended by adding new subsections to read:

(e) Except as otherwise required by federal law, federal funds received by the state through the federal aid to fish restoration program or the federal aid in wildlife restoration program may not be expended except as provided by appropriation. Funds subject to this subsection

(1) shall be used only for projects that provide for

(A) intensive management of game populations for maximum
sustained yield for human harvest;

(B) propagation, reintroduction, restocking, transplantation, manipulation of habitat, predator removal, hunter education, wildlife education, public access to sport fishing and hunting areas, or restoration of sport fish and game resources;

(C) direct benefits to purchasers of sport fishing and hunting licenses and tags that may enhance sport fish stocks and game populations for purposes of increasing opportunities for human harvests of sport fish and game;

(D) conservative management of sport fish stocks for high quality recreational fisheries, including catch and release fisheries and trophy fisheries; or

(E) construction and preservation of shooting ranges; and

(2) may not be

(A) expended for projects in an area where consumptive uses of sport fish and game are not allowed except for projects that are consistent with (1) of this subsection and that are for

(i) facilities used solely for the propagation of sport fish or game for restocking, enhancement, or transplantation;

(ii) shooting ranges;

(iii) facilities to improve public access to areas where consumptive uses of sport fish and game may occur; or

(iv) educational programs, associated with designated areas that support sport fishing, hunting, trapping, and related management;

(B) expended, borrowed, or otherwise used for a purpose not authorized under this subsection;

(C) expended for costs of personnel or administration, other than costs of personnel or administration directly incurred in conjunction with projects allowed under this subsection; or

(D) expended for costs of construction, other than costs of construction projects that are consistent with (1) of this subsection and that are
for

(i) facilities used solely for the propagation of sport fish
or game for restocking, enhancement, or transplantation;
(ii) shooting ranges; or
(iii) facilities to improve public access to areas where
consumptive uses of sport fish and game may occur.

(f) The department shall prepare an annual report of expenditures from the fish
and game fund and provide the report to each member of the legislature. The report
must contain a detailed accounting of expenditures and a description of the proportion
of the fund expended for each project and of the benefits of each project to purchasers
of hunting, trapping, and sport fishing licenses.

(g) In this section, "educational" means interpretive signs, public service,
wildlife education events, and hunting education days.

* Sec. 5. AS 16.05.340(a)(17)(B) is amended to read:

(B) The Board of Game shall by regulation exempt the
requirement of a waterfowl conservation tag for waterfowl hunting in areas of
the state not likely to benefit from programs described in AS 16.05.130(b)(2)
and (3) [AS 16.05.130(b)(2) - (4)].

* Sec. 6. AS 16.05.130(d) is repealed.