

SECTIONAL ANALYSIS FOR CS HB 161 (RES) VERSION R

HB 161 updates provisions for several programs where the department donates big game harvest permits in support of outdoor and conservation programs.

Section 1. Amends AS 16.05.343(a) which authorizes the Department of Fish & Game to donate harvest permits to nonprofit corporations for a competitive auction or drawing. These entities work to promote the mission of the department.

Section 1 authorizes the department to donate harvest permits for 4 Etolin Island elk, 1 bison (unspecified herd) and adds the donation of one Dall sheep harvest permit for a competitive auction or raffle. The donation shall be made to a nonprofit corporation established to promote outdoor and conservation programs

Section 1 amends the primary focus of the nonprofit group receiving the donation from one that “*promotes fish and game law enforcement*” to one that “*promotes education in outdoor traditions and conservation programs in partnership with the department*”. Currently, there are no groups described in the original law operating or who are interested in conducting these auctions or raffles. Recently, the department concluded it couldn’t continue making these donations to groups that applied because their focus was not law enforcement as stated in statute. For the program to continue, the law must be updated.

Several objectives are achieved by modifying the statute:

- 1) Donations are made to entities established to promote outdoor and conservation programs that are approved by the department.
- 2) Under the program in this section, the nonprofit outdoor and conservation group retains 100% of the proceeds from the competitive auction or raffle for its programs according to terms of a memorandum of agreement developed by the department.
- 3) Entities must have a state chapter located in Alaska thereby ensuring the donations benefit Alaskans.
- 4) The donation program will be healthier as its appeal has broadened.

Section 2. Amends AS 16.05.343(c)—which authorizes the Department of Fish & Game to issue harvest permits for competitive auction or raffle to a

qualified organization to raise money that support the conservation mission. If the department elects to use a qualified organization to conduct the auction or raffle on its behalf, qualifications are established. Individuals who obtain a permit under this subsection may also receive a complimentary “Governor’s license” in lieu of having to purchase the necessary hunting license separately.

Section 2 changes current law by increasing the number of harvest permits that may be issued from 2 to 4 permits from per big game species for musk ox, brown or grizzly bear, moose, caribou, and wolf. It also adds 4 permits for black bear, goat and elk.

Section 2 increases the percentage that the qualified organization retains from the gross proceeds. If the auction or raffle is conducted, the qualified organization retain a portion of the proceeds equal to administrative costs and 30% of the net proceeds for its own programming. This is an increase from current law which authorizes administrative costs and 10% of the net proceeds. The remaining proceeds are deposited in the Fish and Game Fund for use by the department.

Section 2 adds the stipulation that the proceeds retained by the organization may be used only to support conservation projects and conservation education programs approved by the department.

Section 2 redefines a “qualified organization” which is found under (e) of this section.

Section 3 adds a new subsection (e) that establishes the definition of a “qualified” organization who may conduct the auction or raffle on behalf of the department. The department may select

- 1) a nonprofit organization that conducts outdoor and conservation programs and supports wildlife research and management projects to conduct auctions or raffles on behalf of the department; and
- 2) in the judgment of the department, demonstrates support for a state-based user pays system.

Section 4. Current law exempts auctions and raffles of harvest permits authorized by AS 16.05.343(b) from Chapter 15.05 –Games of Chance and Contests of Skills. This is repealed.