

**HOUSE CS FOR CS FOR SENATE BILL NO. 77(FIN)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**NINETEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered: 3/8/96**

**Referred: Rules**

**Sponsor(s): SENATOR SHARP**

**REPRESENTATIVES Kelly, Toohey, Ogan**

**A BILL**

**FOR AN ACT ENTITLED**

**1 "An Act relating to management of game populations, to the powers and duties**  
**2 of the commissioner of fish and game, and to the division of game."**

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

**4 \* Section 1.** LEGISLATIVE FINDINGS. The legislature finds that providing for high  
**5 levels of harvest for human consumptive use in accordance with the sustained yield principle**  
**6 is the highest and best use of identified big game prey populations in most areas of the state**  
**7 and that those identified big game prey populations should be managed accordingly.**

**8 \* Sec. 2.** AS 16.05.020 is amended to read:

**9 Sec. 16.05.020. FUNCTIONS OF COMMISSIONER.** The commissioner shall

**10 (1) supervise and control the department, and may appoint and employ**  
**11 division heads, enforcement agents, and the technical, clerical, and other assistants**  
**12 necessary for the general administration of the department;**

**13 (2) manage, protect, maintain, improve, and extend the fish, game and**  
**14 aquatic plant resources of the state in the interest of the economy and general well-**

1 being of the state;

2 (3) have necessary power to accomplish the foregoing including, but  
3 not limited to, the power to delegate authority to subordinate officers and employees  
4 of the department;

5 **(4) cooperate with and assist the Board of Fisheries and the Board**  
6 **of Game by implementing regulations as requested by either board.**

7 \* **Sec. 3.** AS 16.05.050 is amended by adding a new paragraph to read:

8 (20) to cooperate with and assist the Board of Fisheries and the Board  
9 of Game by implementing regulations and management plans as requested by either  
10 board.

11 \* **Sec. 4.** AS 16.05.255(e) is amended to read:

12 (e) The Board of Game shall adopt regulations, **consistent with the sustained**  
13 **yield principle,** to provide for intensive management programs to restore the  
14 abundance or productivity of identified big game prey populations as necessary to  
15 achieve human consumptive use goals of the board in an area where the board has  
16 determined that

17 (1) consumptive use of the big game prey population is a preferred use;

18 (2) depletion of the big game prey population or reduction of the  
19 productivity of the big game prey population has occurred and may result, **or has**  
20 **resulted,** in a significant reduction in the allowable human harvest of the population;  
21 and

22 (3) enhancement of abundance or productivity of the big game prey  
23 population is feasibly achievable utilizing recognized and prudent active management  
24 techniques.

25 \* **Sec. 5.** AS 16.05.255(g)(2) is amended to read:

26 (2) "intensive management" means management, **in accordance with**  
27 **the sustained yield principle,** of an identified big game prey population to enhance,  
28 extend, and develop the population to maintain high levels or provide for higher levels  
29 of human harvest, including control of predation and prescribed or planned use of fire  
30 and other habitat improvement techniques, **but not including restrictions on methods**  
31 **or means of taking game, access to game, or human harvest of game.**

1     \* **Sec. 6.** AS 16.05.255(g) is amended by adding new paragraphs to read:

2                     (3) "harvestable surplus" means the estimated number of animals that  
3     is equal to the number of offspring born in a game population during the year less the  
4     number of animals in the population that die during the year from all causes other than  
5     predation or human harvest;

6                     (4) "high level of human harvest" means the harvest of one-third or  
7     more of the harvestable surplus of a game population by humans;

8                     (5) "sustained yield" means the achievement and maintenance in  
9     perpetuity of a high level of human harvest of game, other than mammalian predators,  
10    on an annual or periodic basis.

11    \* **Sec. 7.** AS 16.05.255 is amended by adding a new subsection to read:

12                   (h) The board shall adopt goals to manage game populations for which human  
13    use is an important use so as to provide at least one-half of the harvestable surplus for  
14    human harvest.

15    \* **Sec. 8.** AS 16.05.270 is amended to read:

16                   Sec. 16.05.270. DELEGATION OF AUTHORITY TO COMMISSIONER. (a)  
17    For the purpose of administering AS 16.05.251 and 16.05.255, each board may  
18    delegate authority to the commissioner to act in its behalf.

19                   (b) If a board delegates authority to the commissioner, the commissioner  
20    shall cooperate with and assist the board by implementing regulations,  
21    management plans, and intensive management programs as requested by the  
22    board.

23                   (c) If there is a conflict between the board and the commissioner on proposed  
24    regulations, public hearings shall be held concerning the issues in question. If, after  
25    the public hearings, the board and the commissioner continue to disagree, the issue  
26    shall be certified in writing by the board and the commissioner to the governor who  
27    shall make a decision. The decision of the governor is final.

28    \* **Sec. 9.** AS 16.05.050(1) is repealed.