

**HOUSE BILL NO. 266**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE WILSON

Introduced: 1/20/16

Referred: Resources

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to the authority of the Board of Game to adopt, amend, or repeal**  
2   **certain regulations."**

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

4   **\* Section 1.** AS 16.05.255(a) is amended to read:

5                   (a) The Board of Game may, subject to (l) of this section, adopt regulations it  
6        considers advisable in accordance with AS 44.62 (Administrative Procedure Act) for  
7                   (1) setting apart game reserve areas, refuges, and sanctuaries in the  
8        water or on the land [OF THE STATE] over which it has jurisdiction, subject to the  
9        approval of the legislature;

10                   (2) establishing open and closed seasons and areas for the taking of  
11        game;

12                   (3) establishing the means and methods employed in the pursuit,  
13        capture, taking, and transport of game, including regulations, consistent with resource  
14        conservation and development goals, establishing means and methods that may be

1 employed by persons with physical disabilities;

2 (4) setting quotas, bag limits, harvest levels, and sex, age, and size  
3 limitations on the taking of game;

4 (5) classifying game as game birds, song birds, big game animals, fur  
5 bearing animals, predators, or other categories;

6 (6) methods, means, and harvest levels necessary to control predation  
7 and competition among game in the state;

8 (7) watershed and habitat improvement, and management,  
9 conservation, protection, use, disposal, propagation, and stocking of game;

10 (8) [PROHIBITING THE LIVE CAPTURE, POSSESSION,  
11 TRANSPORT, OR RELEASE OF NATIVE OR EXOTIC GAME OR THEIR EGGS;

12 (9)] establishing the times and dates during which the issuance of  
13 game licenses, permits, and registrations and the transfer of permits and registrations  
14 between registration areas and game management units or subunits is allowed;

15 (9) [(10)] regulating [SPORT HUNTING AND SUBSISTENCE]  
16 hunting as needed for the conservation, development, and utilization of game;

17 (10) [(11)] taking game to ensure public safety;

18 (11) [(12)] regulating the activities of persons licensed to control  
19 nuisance wild birds and nuisance wild small mammals;

20 (12) [(13)] promoting hunting and trapping and preserving the heritage  
21 of hunting and trapping in the state.

22 \* **Sec. 2.** AS 16.05.255(c) is amended to read:

23 (c) At least twice a year, the Board of Game shall solicit proposals to  
24 amend, adopt, or repeal regulations. The department shall review a proposal and  
25 provide notice of the proposal to advisory committees established under  
26 AS 16.05.260 and to interested persons. The department shall make a copy of the  
27 proposal available at department offices and on the Internet website of the board.  
28 If the board [BOARD OF GAME] denies a petition or proposal to amend, adopt, or  
29 repeal a regulation, the board, upon receiving a written request from the sponsor of the  
30 petition or proposal, shall, in addition to the requirements of AS 44.62.230, provide a  
31 written explanation for the denial to the sponsor not later than 30 days after the board

1 has officially met and denied the sponsor's petition or proposal, or 30 days after  
2 receiving the request for an explanation, whichever is later.

3 \* **Sec. 3.** AS 16.05.255 is amended by adding a new subsection to read:

4 (l) Except for a proposal to adopt an emergency regulation or order under  
5 AS 44.62.250, the department shall provide notice of a proposal from a member of the  
6 Board of Game to amend, adopt, or repeal a regulation at least 65 days before the  
7 board considers the proposal and in the same manner as notice under (c) of this  
8 section. The board may not consider a board member's proposal without notice unless  
9 (1) at least two other board members support the proposal;  
10 (2) the board provides advisory committees and interested persons the  
11 opportunity to make recommendations or comment on the proposal; and  
12 (3) the board makes written findings that  
13 (A) the proposal requires the board's expedited consideration  
14 because of conservation concerns or significant regulatory problems;  
15 (B) the subject matter of the proposal would not be before the  
16 board for one calendar year but for the board member's proposal; and  
17 (C) the proposal is in the best interests of the public.