

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.