

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

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

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

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

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

9 * **Sec. 2.** AS 16.05.130(a) is repealed and reenacted to read:

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

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

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

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

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

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

14 (E) construction and preservation of shooting ranges; or

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

17 (2) may not be

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

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

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

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

31 (i) facilities used solely for the propagation of sport fish

1 or game for restocking, enhancement, or transplantation;

2 (ii) shooting ranges;

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

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

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

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

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

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

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

31 (A) intensive management of game populations for maximum

1 sustained yield for human harvest;

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

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

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

12 (E) construction and preservation of shooting ranges; and

13 (2) may not be

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

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

19 (ii) shooting ranges;

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

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

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

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

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

1 for

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

4 (ii) shooting ranges; or

5 (iii) facilities to improve public access to areas where
6 consumptive uses of sport fish and game may occur.

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

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

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

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

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