

HOUSE BILL NO. 296

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE VEZEY

Introduced: 4/5/95

Referred: House Special Committee on Fisheries, Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the authority of the State of Alaska over fish and game."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 44.03 is amended by adding a new section to read:

4 Sec. 44.03.050. MANAGEMENT OF FISH AND GAME. (a) Fish and game
5 resources within the boundaries of the State of Alaska are subject to the exclusive
6 management jurisdiction of the state as exercised through the Department of Fish and
7 Game, the Board of Fisheries, and the Board of Game under the laws of the state.

8 (b) Except as expressly provided under state law, a person, government
9 agency, or municipality may not exercise authority over the management of fish or
10 game in the state.

11 (c) If the federal government is ever found to have authority to manage a
12 species of fish or game within the boundaries of the state, the state, as the sole legal
13 entity under state law that is authorized to exercise authority over management of fish
14 and game, is the only legal entity to which the federal government may transfer,
15 delegate, surrender, or abandon its authority over management of that species of fish

1 or game.

2 (d) Notwithstanding any other provision of law, a state agency or employee
3 may not enforce or cooperate in the enforcement of a federal law that preempts or
4 supersedes state management of fish and game. This subsection does not preclude the
5 enactment, adoption, or enforcement of a state law that is substantially similar to a
6 federal law that preempts or supersedes state management of fish and game.

7 (e) The attorney general shall enforce this section to the fullest possible extent
8 allowed under law.