

HOUSE CS FOR SENATE BILL NO. 74(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 5/11/99

Referred: Rules

Sponsor(s): SENATOR PETE KELLY

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to hunting on the same day airborne."

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

3 * Section 1. AS 16.05.783(a) is amended to read:

4 (a) A person may not shoot [OR ASSIST IN SHOOTING] a free-ranging wolf,
5 wolverine, fox, or lynx the same day that a person has been airborne. However, the
6 Board of Game may authorize a **predator** [WOLF] control program involving [THE]
7 shooting [OF WOLVES] from the air if

8 (1) the commissioner of fish and game makes written findings based
9 on **biological** [ADEQUATE] data [DEMONSTRATING] that

10 **(A) predation is an important factor contributing to a low**
11 **or declining prey population that is inconsistent with a game management**
12 **program authorized by the Board of Game, and that a reduction of**
13 **predation can reasonably be expected to result in aiding an increase in the**
14 **prey population or in arresting the decline of the prey population; or**

15 **(B) a disease or parasite of a predator population**

1 (i) is threatening the normal biological condition of
 2 the predator population; or

3 (ii) if left untreated, would spread to other
 4 populations; and

5 (2) the commissioner determines that airborne or same day
 6 airborne shooting is necessary to accomplish a game management program
 7 authorized by the Board of Game [A BIOLOGICAL EMERGENCY EXISTS AND
 8 THAT THERE IS NO FEASIBLE SOLUTION OTHER THAN AIRBORNE
 9 CONTROL TO ELIMINATE THE BIOLOGICAL EMERGENCY, AND

10 (2) THE PROGRAM IS CONDUCTED ONLY BY DEPARTMENT
 11 OF FISH AND GAME PERSONNEL

12 (3) THE PROGRAM IS LIMITED TO THE SPECIFIC
 13 GEOGRAPHICAL AREA WHERE THE BIOLOGICAL EMERGENCY EXISTS,
 14 AND

15 (4) THE PROGRAM REMOVES ONLY THE MINIMUM NUMBER
 16 OF WOLVES NECESSARY TO ELIMINATE THE BIOLOGICAL EMERGENCY].

17 * **Sec. 2.** AS 16.05.783(b) is amended to read:

18 (b) This section does not apply to

19 (1) a person who was airborne the same day if that person was airborne
 20 only on a regularly scheduled commercial flight; or

21 (2) an employee or agent of the department who, as part of a game
 22 management program, is authorized to shoot or to assist in shooting wolf,
 23 wolverine, fox, or lynx on the same day that the employee or agent has been
 24 airborne.

25 * **Sec. 3.** AS 16.05.783(d) is amended by adding a new paragraph to read:

26 (3) "game management program" means a program authorized by the
 27 Board of Game or the commissioner to achieve identified game management objectives
 28 in a designated geographic area.

29 * **Sec. 4.** AS 16.05.783(d)(2) is repealed.