

CS FOR SENATE BILL NO. 176(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 2/19/08

Referred: Judiciary, Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to active game management and to the airborne or same day airborne**
2 **taking of certain game animals; making conforming amendments; and providing for an**
3 **effective date."**

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

5 *** Section 1.** AS 08.54.750(f) is amended to read:

6 (f) Notwithstanding (b) of this section, a registered guide-outfitter who is
7 registered in three guide use areas may also register for and conduct big game hunting
8 services for wolf, black bear, brown bear, or grizzly bear in guide use areas within a
9 game management unit or portion of a game management unit where the Board of
10 Game has identified predation by wolf, black bear, brown bear, or grizzly bear as a
11 cause of the depletion of a [BIG] game [PREY] population or a reduction of the
12 productivity of a [BIG] game [PREY] population that is the basis for the establishment
13 of a [AN INTENSIVE MANAGEMENT] program under AS 16.05.255(f) in the
14 game management unit or portion of the game management unit or for he declaration

1 of the biological emergency in the game management unit or portion of the game
 2 management unit. A registered guide-outfitter may only conduct hunts in a guide use
 3 area under this subsection for the big game species identified by the Board of Game as
 4 the cause of the depletion or reduction of productivity of a [BIG] game [PREY]
 5 population.

6 * **Sec. 2.** AS 16.05.050(b) is amended to read:

7 (b) The commissioner shall annually submit a report to the Board of Game
 8 regarding the department's implementation during the preceding three years of
 9 [INTENSIVE MANAGEMENT] programs that have been established by the board
 10 under **AS 16.05.255(f)** [AS 16.05.255] for identified [BIG] game [PREY] populations.

11 * **Sec. 3.** AS 16.05.255(e) is repealed and reenacted to read:

12 (e) The Board of Game shall identify moose, caribou, and deer populations
 13 that are important for providing for a high level of human harvest and shall establish
 14 objectives for human harvest and population size of the identified populations.

15 * **Sec. 4.** AS 16.05.255(f) is repealed and reenacted to read:

16 (f) The Board of Game shall adopt regulations to achieve the objectives
 17 established under (e) of this section for human harvest and population size of the
 18 identified moose, caribou, and deer populations, including, as it considers advisable,
 19 seasons and bag limits, and regulations establishing management actions conducive to
 20 achieving the objectives. If an identified moose, caribou, or deer population is not
 21 meeting the established objectives, the board shall adopt regulations it considers
 22 advisable to restore the population's productivity and increase human harvest,
 23 including active management measures and programs.

24 * **Sec. 5.** AS 16.05.255(j) is repealed and reenacted to read:

25 (j) In this section,

26 (1) "active management" includes predator control;

27 (2) "providing for a high level of human harvest" means allowing
 28 allocation of a sufficient portion of the harvestable surplus of a game population to
 29 achieve a high probability of success for human harvest of the game population based
 30 on biological capabilities of the population and considering all hunter demand.

31 * **Sec. 6.** AS 16.05.340(a)(15) is amended to read:

(15) Nonresident big game tags

A nonresident may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued under this paragraph. The tag must be affixed to the animal immediately upon capture and must remain affixed until the animal is prepared for storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy the tagging requirement for an animal of any other species for which the tag fee is of equal or less value.

- (A) Bear, black, each 225
- (B) Bear, brown or grizzly, each 500
- (C) Bison, each 450
- (D) Caribou, each 325
- (E) Deer, each 150
- (F) Elk, each 300
- (G) Goat, each 300
- (H) Moose, each 400
- (I) Sheep, each 425
- (J) Wolf, each 30

A nonresident is not required to have a nonresident wolf tag to take a wolf in a game management unit if the Board of Game has adopted a [AN INTENSIVE MANAGEMENT] program under AS 16.05.255(f) [AS 16.05.255] for all or a portion of the game management unit.

- (K) Wolverine, each 175
- (L) Musk oxen, each 1,100

* **Sec. 7.** AS 16.05.340(a)(21) is amended to read:

(21) Nonresident alien big game tags

- (A) Bear, black, each 300
- (B) Bear, brown or grizzly, each 650
- (C) Bison, each 650
- (D) Caribou, each 425
- (E) Deer, each 200
- (F) Elk, each 400

- 1 (G) Goat, each 400
- 2 (H) Moose, each 500
- 3 (I) Musk oxen, each 1,500
- 4 (J) Sheep, each 550
- 5 (K) Wolf, each 50

6 A nonresident alien is not required to have a nonresident alien wolf tag to take
 7 a wolf in a game management unit if the Board of Game has adopted **a** [AN
 8 INTENSIVE MANAGEMENT] program under **AS 16.05.255(f)**
 9 [AS 16.05.255] for all or a portion of the game management unit.

- 10 (L) Wolverine, each 250

11 * **Sec. 8.** AS 16.05.783(a) is amended to read:

12 (a) A person may not shoot or assist in shooting a free-ranging wolf or
 13 wolverine, **or brown bear** the same day that **the** [A] person has been airborne.
 14 However, the Board of Game may authorize a predator control program [AS PART
 15 OF A GAME MANAGEMENT PLAN] that involves airborne or same day airborne
 16 shooting **of wolves, wolverines, or brown bears** if the board **determines that the**
 17 **program would be conducive to achieving the objectives established for human**
 18 **harvest or population size of a moose, caribou, or deer population identified**
 19 **under AS 16.05.255(e) or would be conducive to the health of a predator**
 20 **population, and if the program is limited to the area necessary for that purpose**
 21 [HAS DETERMINED BASED ON INFORMATION PROVIDED BY THE
 22 DEPARTMENT

23 (1) IN REGARD TO AN IDENTIFIED BIG GAME PREY
 24 POPULATION UNDER AS 16.05.255(g) THAT OBJECTIVES SET BY THE
 25 BOARD FOR THE POPULATION HAVE NOT BEEN ACHIEVED AND THAT
 26 PREDATION IS AN IMPORTANT CAUSE FOR THE FAILURE TO ACHIEVE
 27 THE OBJECTIVES SET BY THE BOARD, AND THAT A REDUCTION OF
 28 PREDATION CAN REASONABLY BE EXPECTED TO AID IN THE
 29 ACHIEVEMENT OF THE OBJECTIVES; OR

30 (2) THAT A DISEASE OR PARASITE OF A PREDATOR
 31 POPULATION

1 (A) IS THREATENING THE NORMAL BIOLOGICAL
2 CONDITION OF THE PREDATOR POPULATION; OR

3 (B) IF LEFT UNTREATED, WOULD SPREAD TO OTHER
4 POPULATIONS].

5 * **Sec. 9.** AS 16.05.783(b) is amended to read:

6 (b) This section does not apply to

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

9 (2) an employee of the department who [, AS PART OF A GAME
10 MANAGEMENT PROGRAM,] is authorized under powers and duties in
11 AS 16.05.050 to take wolves, wolverines, or brown bears [TO SHOOT OR TO
12 ASSIST IN SHOOTING WOLF, WOLVERINE, FOX, OR LYNX ON THE SAME
13 DAY THAT THE EMPLOYEE HAS BEEN AIRBORNE].

14 * **Sec. 10.** AS 16.05.783(f) is amended by adding a new paragraph to read:

15 (3) "shooting" does not include the administration of tranquilizers or
16 other drugs intended to be nonlethal.

17 * **Sec. 11.** AS 16.05.255(g), 16.05.783(d), 16.05.783(e), and 16.05.783(f)(2) are repealed.

18 * **Sec. 12.** The uncodified law of the State of Alaska is amended by adding a new section to
19 read:

20 TRANSITION: REGULATIONS. The Board of Game may proceed to adopt
21 regulations necessary to implement the changes made by this Act. The regulations take effect
22 under AS 44.62 (Administrative Procedure Act), but not before the effective date of the
23 statutory changes.

24 * **Sec. 13.** Section 12 of this Act takes effect immediately under AS 01.10.070(c).

25 * **Sec. 14.** Except as provided in sec. 13 of this Act, this Act takes effect July 1, 2008.