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IN THE HOUSE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

HOUSE BILL NO. 455

IN THE LEGISLATURE OF THE STATE OF ALASKA
FIRST LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act setting apart state game refuges; authorizing the Board of Fish and Game to establish regulations; providing for multiple use; and providing for an effective date."

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

Section 1. NEED RECOGNIZED. The Legislature of the State of Alaska recognizes these facts:

(1) The jurisdiction over all fish and game in Alaska resides in the state, except in those areas where the state has assented to federal control.

(2) The State of Alaska has not assented to federal control of fish and game on those areas which were set apart as National Bird and Wildlife Refuges while the status of Alaska was that of a United States territory.

(3) Special recognition of the value to Alaska and the nation of areas of unspoiled habitat and the game characteristic to it will be demonstrated by designating as State Game Refuges those federal lands which were National Bird and Wildlife Refuges or Ranges at the time that Alaska achieved statehood.

Therefore, in order to protect and preserve the natural habitat and game population of these areas, this statute is enacted.

Sec..2. DEFINITIONS. For the purposes of this Act:

(1) "Board" means the Alaska Board of Fish and Game.

1 (2) "Game" means all species of birds and mammals, in-
2 cluding feral mammals, but excluding domestic birds and mammals.

3 (3) "State" means the State of Alaska.

4 Sec. 3. REFUGES ESTABLISHED. Those land areas now included
5 in the National Wildlife Refuge System which are cited below in
6 this section are designated as State Game Refuges, and shall be
7 assigned appropriate refuge names by the Board:

8 1. Aleutian Islands Refuge (except Umnak, Unalaska,
9 Akun, Akutan, Sanak, and Tigalda Islands).

10 2. Bering Sea Refuge (St. Matthews and Hall Is-
11 lands, and Pinnacle Islet in Bering Sea).

12 3. Bogoslof Island Refuge.

13 4. Chamisso Island Refuge.

14 5. Forrester Island Refuge.

15 6. Hazen Bay (Nunivakchak and Krigegag Islands).

16 7. Hazy Islands Refuge.

17 8. Kenai National Moose Range.

18 9. Kodiak National Wildlife Refuge.

19 10. Nunivak Island Refuge.

20 11. St. Lazaria Island Refuge.

21 12. Semidi Islands Wildlife Refuge.

22 13. Tuxedni Refuge (Islands in Tuxedni Harbor).

23 Sec. 4. REGULATIONS. The Board shall, pursuant to the pro-
24 visions of Ch. 94, SLA 1959, establish such regulations governing
25 the taking of game on the State Game Refuges created by this Act
26 as it deems advisable for conservation and protection purposes.

27 Sec. 5. MULTIPLE LAND USE. Where real property use, lease
28 or disposal on the game refuges created by this Act are under the
29 control or jurisdiction of the state, whether such control or

1 jurisdiction arises through federal permit or state ownership, the
2 responsible state department or agency shall notify the Commission-
3 er of Fish and Game prior to initiating such real property uses,
4 leases or disposal. The commissioner shall acknowledge receipt
5 of such notice by return mail. If the commissioner so determines,
6 he shall, in said letter of acknowledgment, require such person or
7 governmental agency to submit to him full plans for anticipated
8 use and full plans and specifications of any proposed construction
9 work, complete plans and specifications for the proper protection
10 of fish and game in connection therewith, and the approximate date
11 when such construction or work is to commence, and shall require
12 such person or governmental agency to obtain the written approval
13 of the commissioner as to the sufficiency of such plans or speci-
14 fications before construction is commenced. In administering this
15 above, the Commissioner of Fish and Game shall abide by the princi-
16 pal which recognizes preferences among beneficial uses as more
17 particularly set forth in Art. VIII of the state constitution.
18 Nothing in this section shall be construed to affect any of the
19 provisions of Sec. 31, Art. 1, Ch. 94, SLA 1959.

20 Sec. 6. EFFECTIVE DATE. This Act takes effect on the day
21 after its passage and approval or on the day it becomes law with-
22 out such approval.

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