

1 IN THE SENATE

BY GROH, MILLER, PALMER,  
JOSEPHSON, AND YOUNG

2 SENATE BILL NO. 111

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to endangered species of fish and  
7 wildlife."

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

9 \* Section 1. AS 16.20 is amended by adding new sections to read:

10 Sec. 16.20.180. DECLARATION OF PURPOSE. The legislature  
11 recognizes that, due to growth and development, certain species or  
12 subspecies of fish and wildlife are now and may in the future be  
13 threatened with extinction. The purpose of this Act is to establish  
14 a program for their continued conservation, protection, restoration  
15 and propagation.

16 Sec. 16.20.185. PROTECTION OF HABITAT. On lands under their  
17 respective jurisdiction, the commissioner of fish and game and the  
18 commissioner of natural resources shall take measures to preserve the  
19 natural habitat of species or subspecies of fish and wildlife that  
20 are recognized as threatened with extinction, and, where possible,  
21 work jointly in this effort.

22 Sec. 16.20.190. ENDANGERED SPECIES. (a) A species or subspecies  
23 of fish or wildlife is considered endangered when the commissioner  
24 of fish and game determines that its numbers have decreased to such  
25 an extent as to indicate that its continued existence is threatened.  
26 In making this determination the commissioner of fish and game shall  
27 consider

28 (1) the destruction, drastic modification, or severe curtail-  
29 ment of its habitat;

1 (2) its overutilization for commercial or sporting purposes;  
2 (3) the effect on it of disease or predation;  
3 (4) other natural or man-made factors affecting its  
4 continued existence.

5 (b) After making a determination under (a) of this section, the  
6 commissioner of fish and game shall, in accordance with the Adminis-  
7 trative Procedure Act (AS 44.62), publish a list of the species or  
8 subspecies of fish and wildlife that are endangered. The commissioner  
9 shall, at least once every two years thereafter, conduct a thorough  
10 review of the list to determine what changes have occurred concerning  
11 the species or subspecies listed. Consideration of existing species  
12 or subspecies of fish and wildlife for listing under this section  
13 shall be made on a continuing basis. The review of listed species  
14 or subspecies conducted under this section shall be submitted in  
15 writing to the governor and the legislature and shall be made available  
16 to the public.

17 (c) In making his determination and review under (a) and (b)  
18 of this section, the commissioner of fish and game shall seek the  
19 advice and recommendation of interested persons and organizations,  
20 including but not limited to ornithologists, ichthyologists, ecologists  
21 and zoologists.

22 Sec. 16.20.195. PERMIT FOR HARVESTING OF ENDANGERED SPECIES.  
23 No species or subspecies of fish or wildlife listed as endangered  
24 under sec. 190(b) of this chapter may be harvested except under the  
25 terms of a special permit issued by the commissioner of fish and game  
26 for scientific or educational purposes, or for propagation in captivity  
27 for the purpose of preservation.

28 Sec. 16.20.200. PENALTY. A person who, without a permit issued  
29 under sec. 195 of this chapter, harvests, injures or captures a

1 species or subspecies of fish or wildlife listed under sec. 190 of  
2 this chapter, is guilty of a misdemeanor and is punishable by a fine  
3 of not less than \$1,000, nor more than \$5,000, or by imprisonment  
4 for not more than one year, or by both.

5 Sec. 16.20.205. SELECTION OF PUBLIC LANDS. In addition to land  
6 protected under sec. 185 of this chapter, the commissioner of fish  
7 and game may designate and, subject to the approval of a majority  
8 of the members of the legislature in joint session, set aside certain  
9 state public land essential for the conservation, protection,  
10 restoration and propagation of species or subspecies of fish and  
11 wildlife listed under sec. 190(b) of this chapter.

12 Sec. 16.20.210. DEFINITIONS. In secs. 180 - 210 of this chapter  
13 "fish or wildlife" includes birds.  
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