

Introduced: 3/4/71
Referred: Resources

1 IN THE SENATE

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2 SENATE BILL NO. 147

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 jurisdictions, 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.

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

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

29 (2) its overutilization for commercial or sporting purposes;

1 (3) the effect on it of disease or predation;

2 (4) other natural or man-made factors affecting its
3 continued existence.

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

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

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

27 Sec. 16.20.200. PENALTY. A person who, without a permit issued
28 under sec. 195 of this chapter, harvests, injures, imports, exports,
29 or captures a species or subspecies of fish or wildlife listed under

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sec. 190 of this chapter, is guilty of a misdemeanor and is punishable by a fine of not less than \$1,000, nor more than \$5,000, or by imprisonment for not more than one year, or by both.

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