

Introduced: 3/4/71  
Referred: Resources

1 IN THE SENATE

BY GROH, JOSEPHSON, MILLER,  
PALMER, THOMAS AND YOUNG

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SENATE BILL NO. 144

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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."

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

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

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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.

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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.

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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

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

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(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 propagated 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.

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