

Introduced: 1/28/77
Referred: Resources and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 99

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to wildlife photography contest."

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

8 * Section 1. AS 16.05.903 is repealed and re-enacted to read:

9 Sec. 16.05.903. FISH AND WILDLIFE PHOTOGRAPHY CONTEST. (a) The
10 Department of Fish and Game shall establish and conduct an annual fish
11 and wildlife photography contest. The contest shall be advertised in
12 newspapers of general circulation and selected national conservation
13 and wildlife magazines. The contest year shall be from July 1 through
14 June 30.

15 (b) A first prize of \$500, a second prize of \$250, and a third
16 prize of \$100 may be awarded for each of the following contest cate-
17 gories:

18 (1) categories 1A-1M: one category for each species listed
19 in sec. 340(a)(16) of this chapter;

20 (2) category 2: to include all mammals other than those
21 listed in sec. 340(a)(16) of this chapter;

22 (3) category 3: to include all species of birds; and

23 (4) category 4: to include all fish, shellfish, and
24 aquatic plants.

25 (c) A grand prize of \$1000 may be awarded for the single best
26 entry of the contest year. In addition, up to three honorable mention
27 prizes of \$25 each may be awarded for each category if considered appro-
28 priate by the judging panel. No photograph may be the subject of more
29 than one prize.

1 (d) Entries may be in either color or black and white. Photo-
2 graphs may not be afforded greater consideration because they are in
3 color rather than black and white.

4 (e) An entry fee of \$3 is established for the privilege of
5 entering the contest, which must be paid before an entry will be
6 accepted for consideration. Employees of the Department of Fish and
7 Game and their immediate families may enter the contest without payment
8 of the entry fee and their photographs may be considered for a prize,
9 but they are ineligible for the cash associated with any prize. Each
10 entrant may submit one entry for each category.

11 (f) In order to be eligible for a prize, each entry must meet
12 all of the following conditions:

13 (1) the photograph must be of fish or wildlife which are
14 nondomestic, alive, and native to Alaska;

15 (2) the photograph must show fish or wildlife in a natural,
16 wild, outdoor setting;

17 (3) the photograph must have been taken during the contest
18 year and within the State of Alaska, which includes the land and
19 territorial water of the state and the airspace above that land and
20 water;

21 (4) the photograph must have been taken by the entrant;

22 (5) the species of fish or wildlife shown in the photograph
23 must not have been harvested by the entrant during the contest year;
24 and

25 (6) the photograph must not have been previously published
26 and must not be in any way committed to or scheduled for publication.

27 (g) Entrants whose photographs are adjudged worthy of a prize
28 must submit the original transparencies or negatives together with an
29 affidavit swearing compliance with this subsection before receiving

1 the prize. The judging panel or the department may request additional
2 verification at their discretion.

3 (h) All prize-winning photographs will appear in a special
4 yearly fish and wildlife photography publication compiled by or under
5 the supervision of the department. The publication shall be sold com-
6 mercially by the department for the purpose of generating receipts
7 sufficient to cover expenses incurred by the department in promoting
8 and conducting the contest.

9 (i) Prize-winning photographs, including publication and repro-
10 duction rights to them, are the exclusive property of the Department
11 of Fish and Game for one year after the prize is awarded; thereafter,
12 the department retains joint publication and reproduction rights to
13 those photographs. However, grand-prize-winning photographs are the
14 exclusive property of the department permanently. No person may
15 publish or reproduce a prize-winning photograph subject to exclusive
16 departmental rights or a copy of such a photograph without the express
17 written consent of the department.

18 (j) The commissioner shall appoint a judging panel of five
19 persons to determine the allocation of prizes among entries; a different
20 panel shall be appointed for each contest year. The panel shall
21 consist of two professional photographers and three persons with
22 extensive experience in viewing various species of Alaskan fish and
23 wildlife in their natural surroundings. Panel members are authorized
24 to receive a per diem allowance for each day of judging together with
25 travel expenses at the rate allowable by law for members of boards and
26 commissions. Decisions of the judging panel are final. Regardless of
27 the number of entries, the judging panel may elect not to award a
28 prize in any category if they determine that no entry merits a prize.

29 (k) A person who violates a provision of this section or submits

1 false information in conjunction with the contest is ineligible for
2 participation in the next three annual contests and must return all
3 prizes to the department. In addition, a person who publishes or
4 reproduces a photograph which is the exclusive property of the depart-
5 ment, without permission, is guilty of a misdemeanor and is punishable
6 a fine of \$1,000.

7 (1) The commissioner may propose regulations for adoption under
8 the Administrative Procedure Act (AS 44.62) by the Boards of Fish and
9 Game in joint session as are necessary and proper to implement this
10 section.
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