

BY REP. MENARD, Navarre, Brown, Ellis, Grussendorf, Finkelstein, Donley,
Goll

1 IN THE HOUSE

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HOUSE BILL NO. 484

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to destruction of moose by the

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Alaska Railroad."

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

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* Section 1. AS 42.40 is amended by adding a new section to read:

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Sec. 42.40.445. PROTECTION OF WILDLIFE. (a) The corporation

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shall adopt policies, procedures, and practices to limit the destruc-

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tion of moose by operations of the railroad. The corporation shall

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cooperate with the Department of Fish and Game to mitigate the effects

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of the operations of the railroad on moose by granting access to

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railroad rights-of-way to the department and its contractors. The

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corporation shall, to the extent feasible and compatible with railroad

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operations, provide rail transportation and use of railroad facilities

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and equipment to the department and its contractors.

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(b) The corporation shall pay a moose conservation incentive fee

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to the department before July 1 of each year. The amount of the

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incentive fee shall equal the average number of moose killed by opera-

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tions of the railroad during the previous three calendar years, disre-

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garding any fraction, multiplied by \$1,000.

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(c) A train engineer shall report immediately to the train

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dispatcher if a train operated by the engineer strikes a moose. The

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report must include the time and location, by railroad milepost, of

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the moose strike. It is a class A misdemeanor for a train engineer to

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intentionally fail to report to the train dispatcher within 24 hours

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after the collision that a train operated by the engineer has struck a

1 moose.

2 (d) The commissioner of administration shall separately account
3 for money deposited in the general fund by the department under this
4 section. The annual estimated balance in the account may be used by
5 the legislature to make appropriations to the department for a rail-
6 road-moose mitigation account for mitigation of the effects of the
7 operations of the railroad on moose.

8 (e) In this section

9 (1) "department" means the Department of Fish and Game;

10 (2) "mitigation" includes

11 (A) construction and maintenance of moose-proof fences
12 adjacent to the tracks of the railroad;

13 (B) removal of trees and shrubs from the railroad
14 right-of-way;

15 (C) removal or compaction of snow to create trails
16 within the railroad right-of-way;

17 (D) establishment of alternative winter feeding areas
18 to attract moose away from the railroad right-of-way;

19 (E) research, development, and testing of procedures,
20 equipment, or substances that reduce train collisions with moose
21 or increase the salvageability of moose struck by the train;

22 (F) other measures that the department may recommend
23 to reduce the loss of moose in collisions with trains.