

Original sponsor(s): REP. MENARD, Navarre, Brown, Ellis, Grussendorf,
Finkelstein, Donley, Goll, Jacko

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 484 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to destruction of moose by the
7 Alaska Railroad."

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

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

10 Sec. 42.40.445. PROTECTION OF WILDLIFE. (a) The corporation
11 shall adopt policies, procedures, and practices to limit the destruc-
12 tion of moose by operations of the railroad. The corporation shall
13 cooperate with the Department of Fish and Game to mitigate the effects
14 of the operations of the railroad on moose by granting access to
15 railroad rights-of-way to the department and its contractors. The
16 corporation shall, to the extent feasible and compatible with railroad
17 operations, provide rail transportation and use of railroad facilities
18 and equipment to the department and its contractors.

19 (b) The board shall establish a research program to investigate
20 the use of devices, substances, or procedures to reduce the destruc-
21 tion of moose by operations of the railroad.

22 (c) The board shall establish a committee to advise the corpo-
23 ration on the development of the contingency plan required under (d)
24 of this section and on policies, procedures, and practices necessary
25 to mitigate the effects of the operations of the railroad on moose.

26 The committee shall consist of

27 (1) one representative appointed by each of the following:

28 (A) the board;

29 (B) the Department of Fish and Game;

1 (C) the Department of Natural Resources; and

2 (D) the Matanuska-Susitna Borough; and

3 (2) a person residing in a community served by the railroad
4 who is appointed by the commissioner of fish and game.

5 (d) The corporation shall prepare a contingency plan to prevent
6 the destruction of moose by operations of the railroad when snow
7 conditions cause moose to use the railroad right-of-way. The contin-
8 gency plan must provide for, but is not limited to, the use of pilot
9 cars to precede trains, the scheduling of trains in a manner that
10 reduces destruction of moose, removal of saplings, seedlings, and
11 shrubs from the railroad right-of-way in areas identified by the
12 Department of Fish and Game, removal or compaction of snow to create
13 trails on both sides of and parallel to the tracks within the railroad
14 right-of-way, or other measures found to be feasible under (b) of this
15 section or recommended by the Department of Fish and Game or the
16 committee established under (c) of this section.

17 (e) If more than four moose are killed within a week by opera-
18 tions of the railroad, the corporation shall schedule trains in a
19 manner that reduces the destruction of moose and shall use pilot cars
20 to precede trains through moose concentration areas identified by the
21 Department of Fish and Game.

22 (f) The corporation shall provide for the salvage of moose
23 killed by operations of the railroad. The corporation shall cooperate
24 with the Department of Public Safety in distributing salvaged moose
25 meat to persons identified by the Department of Public Safety as
26 qualified to receive salvaged moose meat.

27 (g) A train engineer shall report immediately to the train
28 dispatcher if a train operated by the engineer strikes a moose. The
29 report must include the time and location, by railroad milepost, of

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1 the moose strike. It is a class A misdemeanor for a train engineer to
2 intentionally fail to report to the train dispatcher within 24 hours
3 after the collision that a train operated by the engineer has struck a
4 moose.

5 (h) The chief executive officer of the corporation shall report,
6 or cause to be reported, to the Department of Fish and Game if a train
7 operated by the corporation strikes a moose. The report must include
8 the time and location, by railroad milepost, of the moose strike. It
9 is a class A misdemeanor for the chief executive officer of the corpo-
10 ration to intentionally fail to report, or intentionally fail to cause
11 to be reported, to the Department of Fish and Game within 48 hours
12 after the collision that a train operated by the corporation has
13 struck a moose.