

HOUSE BILL NO. 172
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES WILLIAMS, Phillips, Larson, Davies, Bunde, Finkelstein, Porter, Ulmer

Introduced: 2/22/93
Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the wildlife conservation tag and to entry onto state game
2 and wildlife sanctuaries, state game refuges, state range areas, and fish and game
3 critical habitat areas; and providing for an effective date."

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

5 * **Section 1. FINDINGS.** The legislature finds that

6 (1) the diversity of wildlife species in Alaska and the size of Alaska make
7 wildlife management extremely expensive;

8 (2) the growth in Alaska's human population has placed pressure upon wildlife
9 habitat and wildlife populations and has increased demand for use and appreciation of wildlife;

10 (3) the Board of Game and other resource management agencies need current,
11 accurate wildlife population and human use data for regulatory and planning purposes;

12 (4) the quality and extent of wildlife information provided by the Department
13 of Fish and Game have a direct effect on the types and levels of human use of wildlife that
14 are allowed;

1 (5) the cause of wildlife conservation would benefit from money generated by
2 a wildlife conservation tag to supplement, but not to supplant, money available for wildlife
3 conservation purposes from other sources;

4 (6) programs that benefit nongame species of wildlife, threatened and
5 endangered species of wildlife, wildlife education, and wildlife viewing would be enhanced
6 by money generated by a wildlife conservation tag.

7 * Sec. 2. AS 16.05.350 is amended to read:

8 Sec. 16.05.350. EXPIRATION OF LICENSES AND TAGS. Licenses and tags
9 required under AS 16.05.330 - 16.05.430, except biennial licenses, the nonresident
10 special sport fishing license, the resident trapping license, and the waterfowl
11 conservation tag, expire at the close of December 31 following issuance. Biennial
12 licenses expire after December 31 of the year following the year of issuance. The
13 resident trapping license expires at the close of September 30 of the year following the
14 year in which the license is issued. The waterfowl conservation tag expires at the
15 close of January 31 of the year following the year of issue of the tag. The wildlife
16 conservation tag provided under AS 16.05.828 expires at the close of December 31
17 following issuance.

18 * Sec. 3. AS 16.05 is amended by adding a new section to read:

19 Sec. 16.05.828. WILDLIFE CONSERVATION TAG PROGRAM. (a) In
20 order to provide support for the wildlife conservation activities of the department, there
21 is established the wildlife conservation tag program.

22 (b) The department shall provide a patch, emblem, decal, stamp, or other
23 suitable item to serve as a wildlife conservation tag. The wildlife conservation tag and
24 proof of purchase of a wildlife conservation tag shall be available through vendors of
25 fish and game licenses.

26 (c) Notwithstanding AS 16.05.080, the commissioner shall establish the cost
27 of a wildlife conservation tag by regulation.

28 (d) The proof of purchase of a wildlife conservation tag entitles the purchaser,
29 after complying with other applicable statutes and regulations, to

30 (1) apply, under terms established by the commissioner by regulation,
31 for a permit to enter a state game or wildlife sanctuary or an area identified by the

1 commissioner by regulation where a permit from the department is required for entry
2 into the area; and

3 (2) enter a state game or wildlife sanctuary and, as identified by the
4 commissioner by regulation, an area designated as a state game refuge, state range
5 area, or fish and game critical habitat area where a permit from the department is not
6 required for entry into the area.

7 (e) The commissioner may designate by regulation those state game and
8 wildlife sanctuaries, state game refuges, state range areas, and fish and game critical
9 habitat areas where possession of a valid hunting, sport fishing, or trapping license
10 may substitute during open hunting, sport fishing, or trapping seasons for a wildlife
11 conservation tag.

12 (f) A wildlife conservation tag may not be required

13 (1) for access to or from private property within or adjoining a state
14 game or wildlife sanctuary, state game refuge, state range area, or fish and game
15 critical habitat area;

16 (2) to use a public easement or right-of-way across a state game or
17 wildlife sanctuary, state game refuge, state range area, or fish and game critical habitat
18 area.

19 (g) The department may contract with a person to perform the responsibilities
20 of the department under this section to provide a wildlife conservation tag.
21 Contracting under this subsection is governed by AS 36.30 (State Procurement Code),
22 except that a contract may include provisions for advance payment or reimbursement
23 for services performed under the contract.

24 (h) The revenue received from the sale of wildlife conservation tags may be
25 appropriated by the legislature to the department for programs that benefit nongame
26 species of wildlife, threatened and endangered species of wildlife, wildlife education,
27 and wildlife viewing. In this subsection,

28 (1) "nongame species" means a species of wildlife that may not be
29 taken under a hunting or trapping license; and

30 (2) "wildlife" means a species of bird, amphibian, reptile, or mammal,
31 including a feral domestic animal, found or introduced into the state, except domestic

- 1 birds and mammals.
- 2 * Sec. 4. AS 16.20.094 is amended to read:
- 3 Sec. 16.20.094. AUTHORITY TO ADMINISTER. Subject to
- 4 AS 16.05.828(d) - (f), the [THE] boards may adopt regulations governing entry,
- 5 development, construction, hunting, fishing, and all other uses or activities not in
- 6 conflict with AS 16.20.096 and 16.20.098 for the purpose of preserving the natural
- 7 habitat and the fish and game of the Walrus Islands State Game Sanctuary.
- 8 * Sec. 5. AS 16.20.096 is amended by adding a new subsection to read:
- 9 (b) Except as provided under AS 16.05.828(e) and (f), a person may not enter
- 10 the Walrus Islands State Game Sanctuary without having in the person's possession
- 11 a proof of purchase of a wildlife conservation tag.
- 12 * Sec. 6. AS 16.20.150(c) is amended to read:
- 13 (c) Subject to AS 16.05.828(d) - (f), a [A] board may adopt regulations
- 14 governing access, entry, development, construction, and each other use and activity
- 15 affecting the natural habitat and the fish and wildlife within the Stan Price State
- 16 Wildlife Sanctuary.
- 17 * Sec. 7. AS 16.20.150 is amended by adding a new subsection to read:
- 18 (e) Except as provided under AS 16.05.828(e) and (f), a person may not enter
- 19 the Stan Price State Wildlife Sanctuary without having in the person's possession a
- 20 proof of purchase of a wildlife conservation tag.
- 21 * Sec. 8. AS 16.20.162(e) is amended to read:
- 22 (e) Subject to AS 16.05.828(d) - (f), the [THE] boards may adopt regulations
- 23 governing access, entry, development, construction, fishing, and other uses and
- 24 activities affecting the natural habitat, fish and wildlife, and public use of the McNeil
- 25 River State Game Sanctuary.
- 26 * Sec. 9. AS 16.20.162 is amended by adding a new subsection to read:
- 27 (g) Except as provided under AS 16.05.828(e) and (f), a person may not enter
- 28 the McNeil River State Game Sanctuary without having in the person's possession a
- 29 proof of purchase of a wildlife conservation tag.
- 30 * Sec. 10. AS 16.20.350(c) is amended to read:
- 31 (c) The Department of Natural Resources may, after consultation with the

1 Department of Fish and Game, adopt regulations governing the public use of the area,
2 except that the commissioner of fish and game may require possession of a
3 wildlife conservation tag under AS 16.05.828 as a condition for access to the area.

4 The regulations must include provisions for multiple use, as defined in AS 38.04.910,
5 and for public multiple uses listed in AS 16.20.340. Regulations adopted for the
6 Matanuska Valley Moose Range do not apply to private land within the boundary
7 described in AS 16.20.360.

8 * Sec. 11. AS 16.20.625(e) is amended to read:

9 (e) The department shall permit uses of the Redoubt Bay Critical Habitat Area
10 in a manner that is compatible with the purposes for which the critical habitat area is
11 established. Subject to AS 16.05.828(d) - (f), the [THE] department shall permit the
12 following public uses to continue without further approval by the department unless
13 the department determines that the use is not compatible with the purposes for which
14 the Redoubt Bay Critical Habitat Area is established:

15 (1) hunting, including subsistence hunting, trapping, and subsistence,
16 commercial, and sport fishing, including the continued use of cabins for the purpose
17 of hunting, trapping, and fishing;

18 (2) hiking, backpacking, and camping, including the use of campfires;

19 (3) cross-country skiing, snowmachining, boating, and the landing of
20 aircraft; and

21 (4) other related uses that are temporary in duration and have no
22 foreseeable adverse effects on vegetation, drainage, soil stability, or fish and game and
23 their habitat.

24 * Sec. 12. This Act takes effect January 1, 1994.