

SB

77

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FILE

FISCAL NOTE

No. 2
 Bill Version: CSSB 77CRES
 (S) Publish Date: 3-22-95

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

BILL NO. CSSI

Revision Date: 3/21/95 Dept. Affected: Fish and Game
 Title: Intensive Management of Game BRU: Life Conservation
 Component: Wildlife Conservation
 Sponsor: Senator Sharp
 Requester: Senate Resources COMPONENT SERIAL NO. 473

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	10.0	150.0	155.8	162.6	169.7	177.1
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.0	150.0	155.8	162.6	169.7	177.1

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other 1024 Fish/Game	10.0	150.0	155.8	162.6	169.7	177.1
TOTAL	10.0	150.0	155.8	162.6	169.7	177.1

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Assumptions:

1. First year funding for development of implementation plan. In subsequent years operating expenditures will be used for predator control programs.
2. Operating expenditures will fund efforts in GMU 13, 19, and 20.
3. If additional big game prey populations are identified by the Board of Game, program costs will grow accordingly.

Prepared by: Wayne Regelin (Colon D...)
 Division: Wildlife Conservation
 Approved by Commissioner: Frank Rice
 Agency: Fish and Game

Phone: 485-4192
 Date: 3/21/95
 Date: 3-21-95

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*Amendment
on p. 2*

9-LS0460\K

Fin
CS FOR SENATE BILL NO. 77(~~RES~~)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 3/22/95

Referred: Finance

Sponsor(s): SENATOR SHARP

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to management of game populations, to the powers and duties
2 of the commissioner of fish and game, and to the division of game."

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

4 * Section 1. LEGISLATIVE FINDINGS. The legislature finds that providing for high
5 levels of harvest for human consumptive use in accordance with the sustained yield principle
6 is the highest and best use of identified big game prey populations in most areas of the state
7 and that those identified big game prey populations should be managed accordingly.

8 * Sec. 2. AS 16.05.020 is amended to read:

9 Sec. 16.05.020. FUNCTIONS OF COMMISSIONER. The commissioner shall

10 (1) supervise and control the department, and may appoint and employ
11 division heads, enforcement agents, and the technical, clerical, and other assistants
12 necessary for the general administration of the department;

13 (2) manage, protect, maintain, improve, and extend the fish, game and
14 aquatic plant resources of the state in the interest of the economy and general well-

1 being of the state;

2 (3) have necessary power to accomplish the foregoing including, but
3 not limited to, the power to delegate authority to subordinate officers and employees
4 of the department;

5 (4) cooperate with and assist the Board of Fisheries and the Board
6 of Game by implementing regulations as requested by either board.

7 * Sec. 3. AS 16.05.050(1) is amended to read:

8 (1) to cooperate with and assist the Board of Fisheries and the
9 Board of Game by implementing regulations, programs, and research as
10 requested by either board [UNITED STATES FISH AND WILDLIFE SERVICE IN
11 THE ENFORCEMENT OF FEDERAL LAWS AND REGULATIONS PERTAINING
12 TO FISH AND GAME];

13 * Sec. 4. AS 16.05.090(a) is amended to read:

14 (a) The commissioner may, with the approval of the governor, establish a
15 departmental division of commercial fisheries, a departmental division of sport
16 fisheries, [A DEPARTMENTAL DIVISION OF GAME,] and other departmental
17 divisions as are necessary.

18 * Sec. 5. AS 16.05.090 is amended by adding a new subsection to read:

19 (d) There is established in the department a division to be called the division
20 of game. The division shall carry out the duties of the department regarding the
21 management of and research on game in the state. The division shall perform other
22 duties as assigned by the commissioner.

23 * Sec. 6. AS 16.05.255(e) is amended to read:

24 (e) The Board of Game shall adopt regulations to provide for intensive
25 management programs to restore the abundance or productivity of identified big game
26 prey populations as necessary to achieve human consumptive use goals of the board
27 in an area where the board has determined that

28 (1) consumptive use of the big game prey population is a preferred use;

29 (2) depletion of the big game prey population from historic high levels
30 or reduction of the productivity of the big game prey population ^{exists} ~~has occurred~~ and may
31 result, or has resulted, in a significant reduction in the allowable human harvest of

1 the population; and

2 (3) enhancement of abundance or productivity of the big game prey
3 population is feasibly achievable utilizing recognized and prudent active management
4 techniques.

5 * Sec. 7. AS 16.05.255(g)(2) is amended to read:

6 (2) "intensive management" means management, in accordance with
7 the sustained yield principle, of an identified big game prey population to enhance,
8 extend, and develop the population to maintain high levels or provide for higher levels
9 of human harvest, including control of predation and prescribed or planned use of fire
10 and other habitat improvement techniques, but not including restrictions on methods
11 or means of taking game, access to game, or human harvest of game.

12 * Sec. 8. AS 16.05.255(g) is amended by adding new paragraphs to read.

13 (3) "harvestable surplus" means the number of animals that is equal to
14 the number of offspring born in a game population during the year less the number of
15 animals in the population that die during the year from all causes other than predation
16 or human harvest;

17 (4) "high level of human harvest" means the harvest of one-third or
18 more of the harvestable surplus of a game population by humans;

19 (5) "sustained yield" means the achievement and maintenance in
20 perpetuity of a high level of human harvest of game on an annual or periodic basis.

21 * Sec. 9. AS 16.05.255 is amended by adding a new subsection to read:

22 (h) The board shall adopt goals to manage game populations for which human
23 use is an important use so as to provide at least one-half of the harvestable surplus for
24 human harvest.

25 * Sec. 10. AS 16.05.270 is amended to read:

26 Sec. 16.05.270. DELEGATION OF AUTHORITY TO COMMISSIONER. (a)
27 For the purpose of administering AS 16.05.251 and 16.05.255, each board may
28 delegate authority to the commissioner to act in its behalf.

29 (b) If a board delegates authority to the commissioner, the commissioner
30 shall cooperate with and assist the board by implementing regulations,
31 management plans, and intensive management programs as requested by the

1 board.

2 (c) If there is a conflict between the board and the commissioner on proposed
3 regulations, public hearings shall be held concerning the issues in question. If, after
4 the public hearings, the board and the commissioner continue to disagree, the issue
5 shall be certified in writing by the board and the commissioner to the governor who
6 shall make a decision. The decision of the governor is final.

FISCAL NOTE

No. 1

Bill Version: SB77

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL (S) Publish Date: 3-22-95

Revision Date: _____ Dept. Affected: Fish and Game
 Title: "An Act relating to intensive management of identified big game prey populations." BRU: Wildlife Conservation
 Sponsor: Senator Sharp Component: Wildlife Conservation
 Requester: Senate Resources COMPONENT SERIAL NO. 473

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	150.0	155.8	162.6	169.7	177.1	184.9
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	150.0	155.8	162.6	169.7	177.1	184.9

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES (1024)	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

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1003 GF Match						
1004 GF						
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TOTAL	150.0	155.8	162.6	169.7	177.1	184.9

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Assumptions:

1. New intensive surveys of moose in summer will be required to determine birth rates. Intensive census of moose populations will be required in winter.
2. Operating expenditures will fund efforts in GMU 13, 19, and 20.
3. As additional big game prey populations are identified by the Board of Game, survey/census costs will be an additional \$50.0 per population per year.

Prepared by: Wayne L. Requin, Acting Director
 Division: Wildlife Conservation
 Approved by Commissioner: Caron Bruce
 Agency: Alaska Department of Fish and Game

Phone: 465-4192
 Date: 3/3/95
 Date: 3/7/95

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2. Operating expenditures will fund efforts in GMU 13, 19, and 20.
3. If additional big game prey populations are identified by the Board of Game, program costs will grow accordingly. All expenditures will come from reprogramming of existing revenues.

Prepared by: Wayne L. Regelin, Acting Director
 Division: Wildlife Conservation

Phone: 465-4192
 Date: 3/14/95

Approved by Commissioner: Frankie An
 Agency: Alaska Department of Fish and Game

Date: 3-14-95

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 Division: Wildlife Conservation
 Approved by Commissioner: Caron Buss
 Agency: Alaska Department of Fish and Game

Phone: 465-4192
 Date: 3/3/95
 Date: 3/7/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 77 (RES)

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Prepared by: Wayne Regelin *Wayne Regelin*
 Division: Wildlife Conservation
 Approved by Commissioner: Frank Rex *Frank Rex*
 Agency: Fish and Game

Phone: 465-4192
 Date: 3/21/95
 Date: 3-21-95

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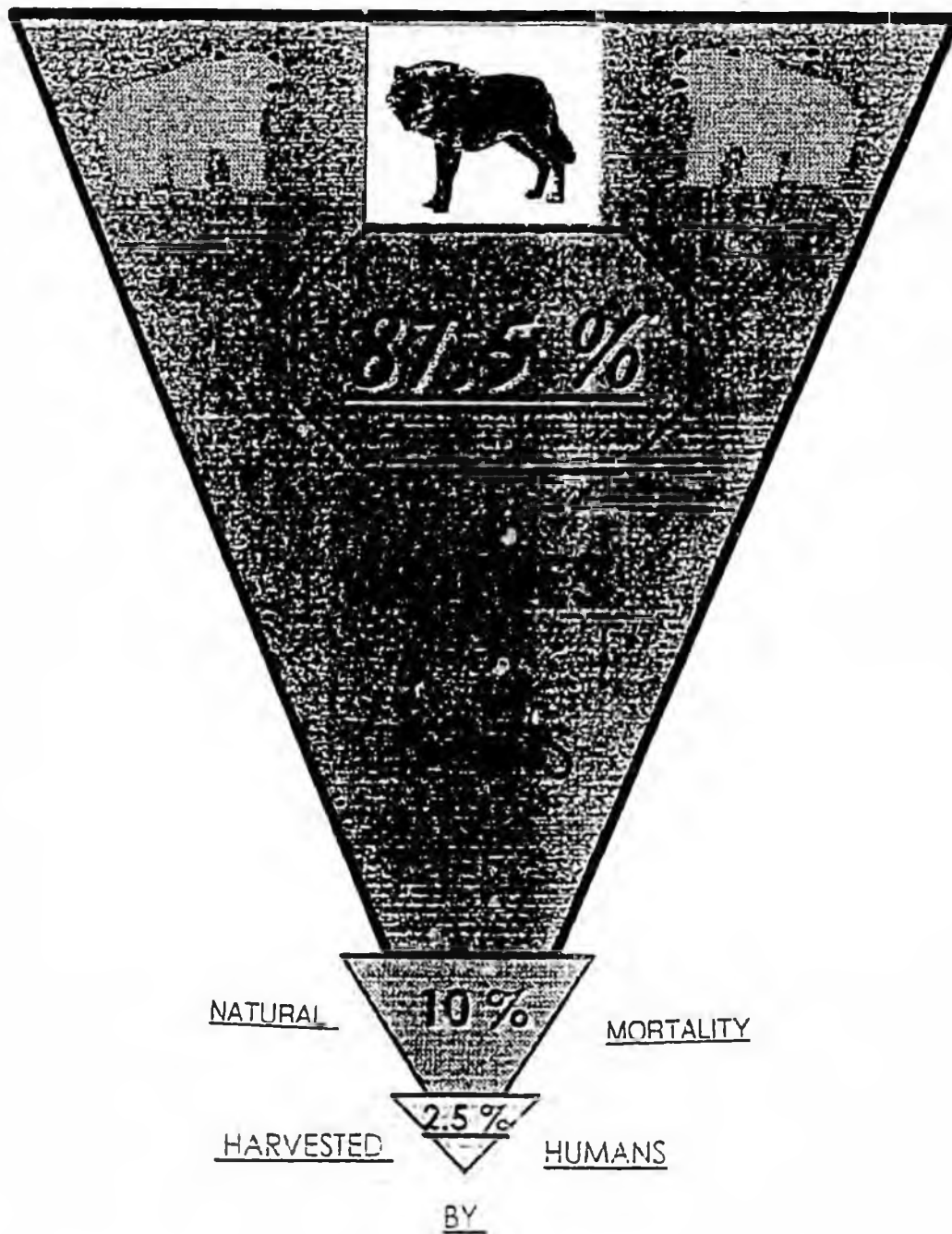
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3/6/2

SHEEP

MOOSE

CARIBOU

HARVEST RATIO



Data from ADFG 1991

Alaska State Legislature

SENATOR
BERT SHARP

DISTRICT P

CHAIRMAN
SENATE STATE AFFAIRS COMMITTEE

MEMBER
FINANCE COMMITTEE
RULES COMMITTEE



Senate

FAIRBANKS

DENALI BANK BUILDING
119 N. CUSHMAN, SUITE 201
FAIRBANKS, ALASKA 99701
(907) 452-7885/7886

SESSION ADDRESS

STATE CAPITOL, ROOM 514
JUNEAU, ALASKA 99801-1182
(907) 465-3004/4921

SPONSOR STATEMENT

CSSB-77

BY: SENATOR BERT SHARP

THIS LEGISLATION DOES THREE THINGS:

SECTION 2 SPECIFIES THAT THE COMMISSIONER SHALL COOPERATE WITH AND ASSIST THE BOARD OF FISHERIES AND THE BOARD OF GAME. THIS REPLACES THE PRESENT ONEROUS WORDING IN AS 16.05.050(1) WHICH REQUIRES THE COMMISSIONER TO "ASSIST" THE U.S. FISH AND WILDLIFE SERVICE IN ENFORCEMENT OF FEDERAL LAWS AND REGULATIONS PERTAINING TO FISH AND GAME.

SECTION 3 IS AMENDED TO DELETE THE COMMISSIONER'S OPTION OF ESTABLISHING A DIVISION OF GAME THAT DOESN'T PRESENTLY EXIST.

SECTION 4 ESTABLISH, BY STATUTE, A DIVISION OF GAME WITHIN THE DEPARTMENT TO MANAGE GAME IN THE STATE. THE INTENT IS TO REPLACE THE TITLE OF DIVISION OF WILDLIFE CONSERVATION WITH THE ORIGINAL STATUTORY TITLE OF DIVISION OF GAME.



REPRESENTING
GOLDEN HEART
OF ALASKA

SECTION 5 MERELY CLARIFIES LANGUAGE CONTAINED IN LAST YEARS INTENSIVE MANAGEMENT LEGISLATION, WHICH BOTH THE BOARD AND THE DEPARTMENT ARE HAVING DIFFICULTY UNDERSTANDING. BASICALLY THEY WERE SAYING, DEPLETION OF GAME POPULATIONS FROM WHAT LEVEL, HIGH, LOW, OR PRESENT?

SECTION 6 ALSO, FURTHER CLARIFIES THAT INTENSIVE MANAGEMENT DOES NOT INCLUDE MANAGEMENT OF PEOPLE. THE DEPARTMENT SEEMS TO HAVE A VERY DIFFICULT TIME UNDERSTANDING THAT CONCEPT.

SECTION 7 ADDS TWO ADDITIONAL PARAGRAPHS. IT BECAME APPARENT AT THE DECEMBER 1ST AND 2ND BOARD OF GAME MEETING THAT THERE WAS DISAGREEMENT BETWEEN DEPARTMENT PERSONNEL ON JUST WHAT "HARVESTABLE SURPLUS" MEANT AS WELL AS SEVERAL BOARD MEMBERS HAVING DIFFICULTIES MATCHING WHAT THE STATUTE REQUIRES TO THEIR PERSONAL PHILOSOFICAL DESIRES. THIS CLARIFIES IT FOR THEM AND IS A DEFINITION ACCEPTABLE BY MANY GAME MANAGERS.

PARAGRAPH (4) DEFINES THE TERM "HIGH LEVEL OF HUMAN HARVEST" BY A QUANTIFYING EASILY UNDERSTANDABLE DEFINITION, "ONE THIRD OR MORE".

SECTION 8 ADDS A NEW SUBSECTION (H) WHICH STRENGTHENS THE LEGISLATIVE INTENT WORDING IN STATUTE BY ESTABLISHING A QUANTITIVE TARGET TO BETTER FOCUS MANAGEMENT GOALS AT THE 50-50 LEVEL.

IN SUMMARY, I WOULD RE-INTERATE, IT BECAME CLEAR BY OBSERVING THE DEPARTMENT'S INABILITY OR RELUCTANCE TO IMPLEMENT THE INTENSIVE MANAGEMENT STATUTE/MANDATE THAT FURTHER CLARRIFICATION IS NEEDED.

IRONICALY, THE ASSISTANT ATTORNEY GENERAL AT THE MEETING HAD NO PROBLEM UNDERSTANDING AND ARTICULATE WHAT SB-77 MEANT. I WOULD HOPE THIS LEGISLATION WILL CLARIFY THE AREA THAT IS NOT UNDERSTANDABLE TO SOME DEPARTMENT PERSONNEL AND THAT THEY WOULD THEN MOVE FORWARD TO AGGRESSIVELY MANAGE THIS GREAT RESOURCE FOR THE PEOPLE OF ALASKA AS IS THEIR CONSTITUTIONAL CHARGE.

SECTIONAL ANALYSIS

CSSB-77

SECTION 1. Legislative Findings. Provides for high levels of harvest for human consumption is the highest and best use of the game resources of most areas of the state.

SECTION 2. Defines the functions of the Commission.

SECTION 3. AS 16.05.050(1) is amended to read:

The Commissioner shall cooperate with and assist the Board of Fisheries and Game. This replaces the present wording which requires the Commissioner to assist the U.S. Wildlife Service Enforcement of Federal Laws and Regulations.

SECTION 4. Amends AS 126.05.090(a) by deleting the Commissioners option of establishing a Division of Game within the Department of Fish and Game.

SECTION 5. Amends AS 16.06,090 by establishing a Division of Game within the Department of Fish and Game.

SECTION 6. Clarifies language adopted in the 17th Legislatures SB-77 Intensive Game Management legislation.

SECTION 7. Clarifies that Intensive Management does not include management of people.

SECTION 8. Defines "harvestable surplus", "high level of human harvest" and "sustained yield".

SECTION 9. AS 16.05.255 is amended by adding a new subsection (h) which strengthens the legislative intent language already in statute by establishing a quantitative target at a 50-50 level.

SECTION 10. Amends AS 16.05.270 by adding a new subsection (b) to the Delegation of Authority to Commissioner.

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 2/8/95

FURTHER:

Date of 5-Day Notice: 3-2-95
 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-22-95

over

Resources Committee considered SENATE BILL NO. 77

"An Act relating to intensive management of identified big game prey populations."

FN's

and recommends:

- be replaced with CS SB 77 (PFS)
- adopt previous CS
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:
 same title
 new title
 House Bill:
 technical change
 new: SCR# _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i> (1)	X		
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i> (2)		X	
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

CS	ADFG	3/14/95		10.0
SB	ADFG	3/7		150

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill