

SB

250

FISCAL NOTE

No. 2
 Bill Version: CS9B 250(FIN)
 (S) Publish Date: 3-13-98

STATE OF ALASKA
 1998 LEGISLATIVE SESSION

Revision Date: 3/12/98 Dept. Affected: Fish and Game
 Title: Management of Game BRU: Wildlife Conservation
 Component: Wildlife Conservation
 Sponsor: Senator Sharp
 Requester: House Resources COMPONENT SERIAL NO. 473

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (1024)	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) 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)

Fiscal impact is impossible to predict without knowing what "regulations, management plans, and other management programs" the department may be required to implement.

Prepared by: Wayne Regelin, Director
 Division: Wildlife Conservation
 Approved by Commissioner: Carson Bruce Jr.
 Agency: Department of Fish and Game

Phone: 465-4190
 Date: 3/12/98

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SPONSOR STATEMENT

CSSB - 250(FIN)

BY: SENATOR BERT SHARP

In 1994, the Eighteenth Alaska State Legislature passed Senate Bill 77, legislation implementing intensive game management. Since that time, the Department of Fish and Game and The Board of Game have had difficulty interpreting and implementing this legislation.

Senate Bill 250, narrows down and defines legislative findings that provides for high levels of harvest for human consumption consistent with the sustained yield principle. It further states big game prey populations should be managed biologically. This is accomplished by amending AS 16.05.255(g) and adding a new definition for sustained yield.

The Board of Game is further instructed to establish harvest goal and seasons for managing big game prey populations to achieve a high level of human harvest. And the Commissioner by delegation of the Board shall cooperate and assist by implementing regulations, management plans and other programs to accomplish these goals.

To further assist the Board and the department, the bill contains definitions for harvestable surplus and high levels of human harvest. These are terms that are in existing law and it has become evident they beg for clear definition.

Thank you.

Passed w/ bill & FIN
Not adopted in RES

0-LS1352\HA.2
Utermohle
4/9/98

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE OGAN

TO: CSSB 250(FIN) am

1 Page 2, line 17, following "techniques"

2 Insert **": in this paragraph. "sustained yield" means the achievement and**
3 **maintenance of a high level of human harvest of an identified big game prey population**
4 **on an annual or periodic basis"**

5 Page 2, line 25:

6 Delete ";

7 Insert "."

8 Page 2, lines 26 - 28:

9 Delete all material.

LEGAL SERVICES

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STATE OF ALASKA

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Juneau, Alaska 99801-2105

MEMORANDUM

April 9, 1998

SUBJECT: Amendment to CSSB 250(FIN) am; definition of "sustained yield"
(Work Order No. 20-LS1352\HA.2)

TO: Representative Scott Ogan

FROM: George Utermohle
Legislative Counsel

Enclosed is an amendment (HA.2) to CSSB 250(FIN) am that you requested. This amendment removes an unnecessary ambiguity as to whether mammalian predators are subject to sustained yield management.

SB 250 adds a definition of "sustained yield" to AS 16.05.255(g) for the purposes of defining the term as it is used in the definition of "intensive management" in AS 16.05.255(g)(2) [see, sec. 3 of the bill].

"Sustained yield" is defined in the bill to mean "the achievement and maintenance in perpetuity of a high level of human harvest of game, other than mammalian predators, on annual or periodic basis." In this definition, mammalian predators are exempted from "sustained yield". This exemption from sustained yield management could be interpreted as either allowing harvests of mammalian predators at a rate higher than allowed under the sustained yield principle or preventing any harvest of mammalian predators. This ambiguity in the definition of "sustained yield" is not an issue in the current version of SB 250 because the term "sustained yield" is not used in AS 16.05.255 in any context relevant to the harvest of predators. However, the definition currently contained in the bill could become an issue in the future if AS 16.05.255 is amended to address sustained yield of predators.

To eliminate the issue of how mammalian predators may be addressed under sustained yield management, the enclosed amendment

(1) adds the definition of "sustained yield" to the definition of "intensive management" which is the only provision of AS 16.05.255 where the term "sustained yield" is used; and

(2) defines "sustained yield" only in reference to big game prey populations which is the only context in which the term "sustained yield" is used in the definition of "intensive management".

Representative Scott Ogan
April 9, 1998
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The approach taken by the amendment clearly and concisely defines "sustained yield" for the specific purpose for which the term is used in AS 16.05.255. The ambiguity regarding sustained yield management of mammalian predators is eliminated.

If I may be of further assistance, please advise.

GU:pl
98-084.plm

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Juneau, Alaska 99801-2105

MEMORANDUM

February 10, 1998

SUBJECT: Sectional Summary of SB 250; An Act relating to management of game and to the duties of the commissioner of fish and game. (SB 250)

TO: Senator Bert Sharp
Attn: Marilyn Wilson

FROM: George Utermohle *GU*
Legislative Counsel

You have requested a sectional summary of SB 250; An Act relating to management of game and to the duties of the commissioner of fish and game.

As a preliminary matter, note that a sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill sets out the findings of the legislature regarding management of big game prey population in the state.

Section 2 of the bill amends the definition of "intensive management" for the purposes of AS 16.05.255.

Section 3 of the bill amends AS 16.05.255(g) by adding definitions of the terms "harvestable surplus", "high level of human harvest", and "sustained yield".

Section 4 of the bill adds a new subsection to AS 16.05.255 to require that the Board of Game establish population and harvest goals and seasons to manage big game prey populations to achieve a high level of human harvest.

Section 5 of the bill amends AS 16.05.270 to provide that if the Board of Game delegates responsibility to the commissioner of fish and game, the commissioner shall cooperate with and assist the board by implementing programs requested by the board.

GU:lmb
98-009.lmb