

HB

356

<TARGET><BILL>HB 356</BILL><SUBJECT>HB
356</SUBJECT><COMM>HRES27</COMM></TARGET>

Dirk Craft
Rept Pruitt

27-LS1343\M

HOUSE BILL NO. 356

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES PRUITT, Keller, Stoltze, Neuman, Feige, Petersen, Johnson, Fairclough

Introduced: 2/22/12
Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to land management by the Board of Game and Department of Natural
2 Resources for trapping and sport and subsistence hunting."

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

4 * **Section 1.** AS 16.05 is amended by adding a new section to read:

5 **Sec. 16.05.839. Game land management.** (a) When open and closed seasons
6 and areas are established by the Board of Game under AS 16.05.255, the board shall
7 manage land under the department's authority to prevent, to the greatest extent
8 practicable, any net loss of acreage available for trapping and sport and subsistence
9 hunting.

10 (b) Not later than March 31 of each year, the commissioner shall submit a
11 report to the legislature describing land managed by the department that

12 (1) was closed to trapping or sport or subsistence hunting the previous
13 year and the reasons for the closures; and

14 (2) was opened to trapping or sport or subsistence hunting to comply

Fair

1 with the no-net-loss-of-acreage provision of (a) of this section.

2 * **Sec. 2.** AS 38.04.065 is amended by adding new subsections to read:

3 (j) The commissioner shall

4 (1) keep land managed by the Department of Natural Resources open
5 for trapping and sport and subsistence hunting unless the department determines the
6 land must be closed for reasons relating to public safety, fish or game management,
7 conservation, development of natural resources, or homeland security;

8 (2) manage land under the authority of the Department of Natural
9 Resources to support, promote, and enhance trapping and sport and subsistence
10 hunting to the extent authorized by state law;

11 (3) manage land under the authority of the Department of Natural
12 Resources to prevent, to the greatest extent practicable, any net loss of acreage
13 available for trapping and sport and subsistence hunting .

14 (k) Not later than March 31 of each year, the commissioner shall submit a
15 report to the legislature describing land managed by the Department of Natural
16 Resources that, during the previous year, was

17 (1) closed to trapping or sport or subsistence hunting, and the reasons
18 for the closures; and

19 (2) opened to trapping or sport or subsistence hunting to comply with
20 (j)(3) of this section.

Dalton Hwy - restricted ^{offroad} motor vehicle access

Alaska State Legislature

Session:
State Capitol Rm. 421
Juneau, AK 99801
Phone: (907) 465-3438
Fax: (907) 465-4565



Interim:
716 W 4th Avenue
Anchorage, AK 99501-2133
Phone: (907) 269-0100
Fax: (907) 269-0105

Representative Lance Pruitt
Co-Chair, House Energy Committee

Sponsor Statement

HB 356 No Net Loss of Hunting Lands

House Bill 356 would require the state to manage land under its authority to prevent, to the greatest extent practicable, any net loss of acreage available for trapping and sport and subsistence hunting. The purpose of this would be to maintain at least the level of public hunting land that currently exists.

Hunters understand and appreciate the importance of conservation as much as any outdoor enthusiast. Through preservation of hunting lands, we are ensuring that hunters will continue to protect the wildlife habitats valued by all Alaskans. License and tag fees match federal dollars and help protect the conservation of wildlife statewide. Every license lost through receding public hunting lands would negatively impact the management and protection of our wildlife resources and habitats.

The goal of this legislation is to create a baseline number of public hunting areas to make sure we have the same number of hunting opportunities tomorrow as we do today. Support HB 356 and help keep public hunting opportunities and sporting heritage from diminishing for future generations of Alaskans.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 356
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB356-DNR-MLW-03-31-12 Dept. Affected Dept. of Natural Resources
 Title Land Management: Hunting/Fishing/Trapping Appropriation Land & Water Resources
 Allocation Mining, Land & Water
 Sponsor _____ Rep. Pruitt
 Requester _____ (H)RES _____ OMB Component Number 3002

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	***	0.0	***	***	***	***	***

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		***	0.0	***	***	***	***

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES	***	0.0	***	***	***	***	***
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Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial Version, not applicable

Prepared by Brent Goodrum, Director
 Division Mining, Land & Water
 Approved by Daniel S. Sullivan, Commissioner
Department of Natural Resources

Phone 907-269-8625
 Date/Time 3/30/12 5:00 PM
 Date 3/31/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB 356

Analysis

Section 2 of HB 356 requires that the Commissioner of the Department of Natural Resources keep land managed by the department "open" for trapping and hunting unless DNR determines the land must be "closed" for reasons relating to public safety, fish or game management, conservation, development of natural resources, or homeland security. The legislation also requires the commissioner to manage land under the authority of DNR to 1) support, promote, and enhance trapping and sport and subsistence hunting to the extent authorized by state law, and 2) to manage land under the authority of the Department of Natural Resources to prevent, to the greatest extent practicable, **any net loss** of acreage available for trapping and sport and subsistence hunting. Lastly HB 356 requires the commissioner to prepare and submit an annual report to the legislature describing land managed by DNR that, during the previous year, was: 1) closed and the reasons for the closures, and 2) opened to trapping or sport or subsistence hunting.

This fiscal note assumes that this legislation establishes a new, overriding, land management policy for the department giving priority to the support, promotion and enhancement of hunting and trapping based land uses, with the purpose that there be **no net loss** of acreage available for hunting and trapping, over other discretionary land uses the department considers. Because there is no ready supply of other lands to replace lands DNR may convey out of the public domain (no replacement lands available from federal or private sources) DNR assumes that mitigation for the loss of such land is not a viable option.

Therefore, this fiscal note assumes that to comply with the "support, promotion and enhance", and "no-net-loss of land available for hunting and trapping" standards mandated in the legislation, DNR would be compelled to curtail land conveyances and land use authorizations to the greatest extent practicable, including: mining permits, leases; land sales, leases; tideland leases, shore fish permits and leases; land use permits; preference right leases; municipal entitlement conveyances; material sales; agricultural housing rights; public and charitable sales and leases.

INDETERMINATE FISCAL IMPACT

At this time, it is difficult to predict the fiscal impact of this legislation on the department. DNR expects there to be an impact on the time required by MLW to issue a conveyance or authorization. Each decision would require an additional review under the standards and policies set in this legislation. MLW has over 100 employees engaged in the adjudication and issuance of authorizations that could be affected by this legislation. Individually, the additional review requirement would not be significant but in aggregate, the effect of the new requirement would require the equivalent of one or two staff members (NRS II or III's) to offset the increased use of staff time to comply with this requirement.

Under proposed subsection AS 38.04.065(k), the division would be required to set up and maintain a complex database in its lands records system to track the removal, addition or return (status) of land in and out of the public domain (land available for the public to use for hunting or trapping). This database would be used to comply with the annual reporting requirement of this subsection. This would require at least one month of time from an Analyst Programmer V. Additionally, every division adjudicator would be required to maintain and update the database to maintain an accurate tally of lands removed from or added to the public domain for use in compiling the annual report. Again, while individually the additional status tracking effort would not be significantly burdensome to the adjudicator; in aggregate the effect of the new requirement would require additional staff to offset the increased use of staff time.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

cost # codes

Bill Version HB 356 1A
Fiscal Note Number _____
Publish Date _____

Identifier (file name) HB356-DFG-CO-03-31-12 Dept. Affected Fish and Game
Title LAND MANAGEMENT: HUNTING/FISHING/TRAPPING Appropriation Administration and Support
Allocation Commissioner's Office
Sponsor REPRESENTATIVE(s) Pruitt, Keller, Stoltze, et al.
Requester House Resources Committee OMB Component Number 2175

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	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/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS								
Full-time								
Part-time								
Temporary								

CHANGE IN REVENUES								

Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial version of the fiscal note.

Prepared by Ben Mulligan, Legislative Liaison
Division Commissioner's Office
Approved by Kevin Brooks, Administrative Services Director
Department of Fish and Game

Phone 907-465-6137
Date/Time 3/31/12 10:10AM
Date 3/31/2012

FISCAL NOTE

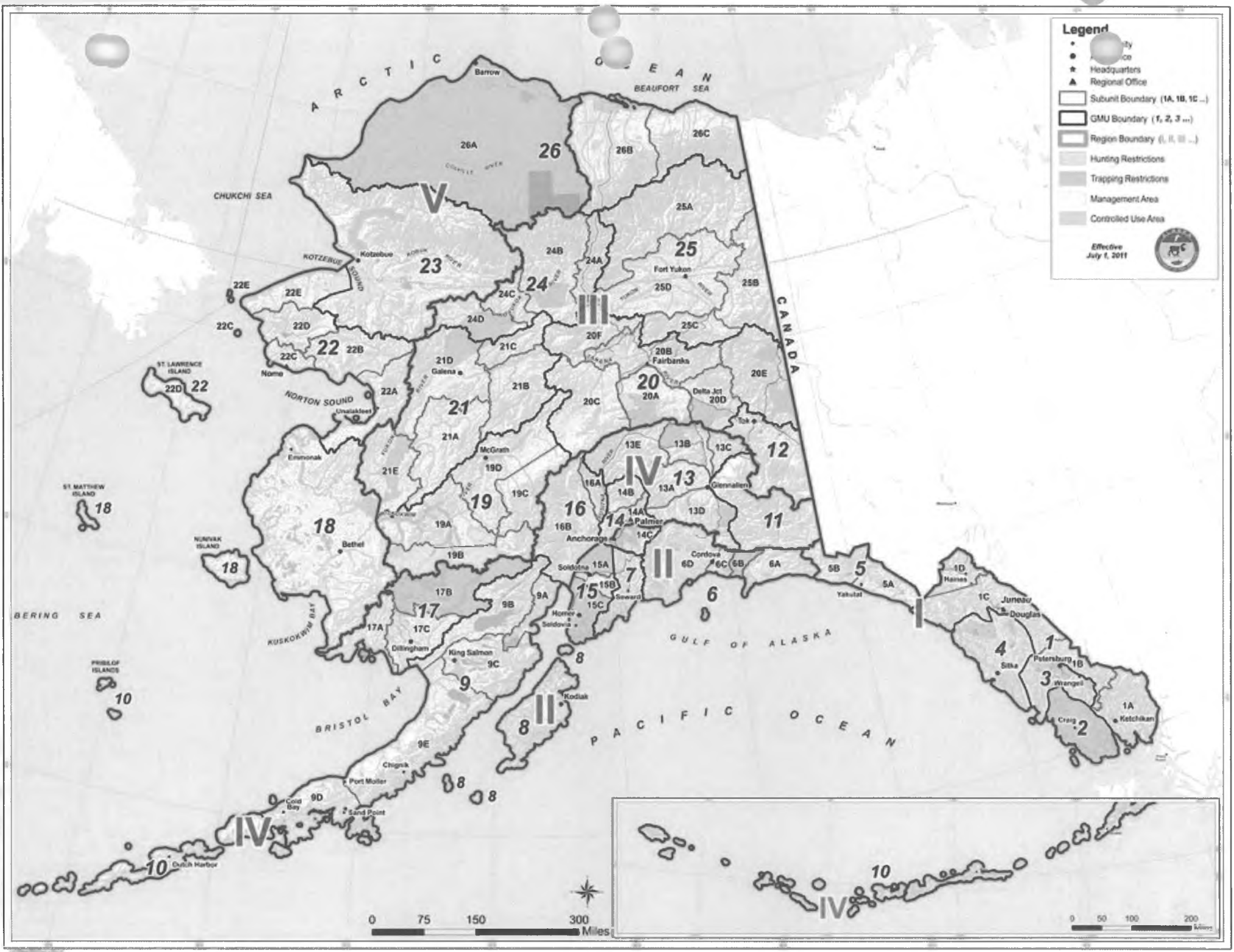
STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB 356 VA

Analysis

House Bill 356 requires the Board of Game to manage land under ADF&G's authority, to the greatest extent practicable, to prevent any net loss of acreage available for hunters and trappers when the board establishes open and closed seasons. The Commissioner must also submit an annual report, no later than March 31st of each year, describing land managed by ADF&G that was closed to trapping, sport, or subsistence hunting the previous year and the reasons for the closures; and the land that was opened to comply with the directive under the proposed statute AS 16.05.839.

After consulting with the Boards Support Section and the Wildlife Conservation Division, ADF&G finds there will be no fiscal impact associated with HB 356.



ARCTIC OCEAN
BEAUFORT SEA
CHUKCHI SEA
KOTZEBU SOUND
NORTON SOUND
BERING SEA
FRISBEE ISLANDS
ST. LAWRENCE ISLAND
ST. MATTHEW ISLAND
NUNIVAK ISLAND
KUSKOKWIM BAY
BRISTOL BAY
COLD BAY
DUTCH HARBOR
PACIFIC OCEAN
GULF OF ALASKA
CANADA

Barrow
Cape Wankarem
Kotzebue
Fort Yukon
Fairbanks
Delta Jct
Bethel
Anchorage
Seward
Cordova
Juneau
Douglas
Petersburg
Wrangell
Craig
Ketchikan

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25A 25B 25C 25D 25E
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5A 5B 5C 5D 5E
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3A 3B 3C 3D 3E
2A 2B 2C 2D 2E
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IV
III
II
I

Alaska Chapter SCI
PO Box 770511
Eagle River, AK 99577
(907) 980-9018



March 16, 2012

The Honorable Lance Pruitt
Alaska State House
State Capitol, Room 421
Juneau, AK 99801

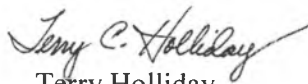
Dear Representative Pruitt,

As one of the leading chapters in the world's foremost hunter-conservationist organization, we wish to express our appreciation for your willingness to introduce HB 356 "An Act relating to land management by the Board of Game and Department of Natural Resources for trapping and sport and subsistence hunting" better known as "No Net Loss" legislation. This legislation is part of a package of agreed upon actions at a gathering of sportsman's groups from around the nation. Sponsored by the NRA and the National Shooting Sports Foundation, this legislation will hopefully stem the loss of public lands available for hunting.

SCI Alaska Chapter has been the leader in preserving the freedom to hunt here in Alaska with effective leadership on issues of wildlife management, preservation of legitimate methods and means of harvesting wildlife and a leading role in important education efforts to preserve important outdoor traditions here in Alaska. We preserved effective predator/prey management at the ballot box in 2008 so our ungulate herds could become more abundant; we engineered the win in 2004 to preserve bear baiting as a legitimate hunting method; and we have been a leading supporter of the Outdoor Heritage Foundation which provides a multitude of education programs designed to get Alaskans, especially children, back outdoors and active in traditional pursuits such as hunting, fishing and trapping.

We look forward to working with you on this legislation and look forward to its passage by the Legislature. If you have need of our technical assistance or our professional help in moving this bill forward, please don't hesitate to contact us. Our lead on governmental affairs is Eddie Grasser who has many years experience as a hunting and fishing guide, as well as a long history of working within the legislative process.


Sincerely,


Terry Holliday
President

cc: House Resources Committee
Legislative Outdoor Heritage Caucus

SCI's Top Gun Chapter

Linda Hay

From:  Rep. Paul Seaton
Sent: Friday, March 30, 2012 4:24 PM
To: Linda Hay
Subject: FW: HB 356

From: Steve Parizek [<mailto:sparizek@acsalaska.net>]
Sent: Friday, March 30, 2012 2:35 PM
To: Rep. Paul Seaton
Subject: HB 356

Mr. Seaton-

I would like to voice my support for the No Net Loss bill. If I understand it correctly, this will enable users and our group to help acquire and maintain trails for all users.

Sincerely,

Steve Parizek, Pres. Snomads Inc.



Linda Hay

F : Rep. Paul Seaton
Sent: Friday, March 30, 2012 4:23 PM
To: Linda Hay
Subject: FW: HB356

From: Alan JAquish [<mailto:alanjaquish@yahoo.com>]
Sent: Friday, March 30, 2012 12:18 PM
To: Rep. Alan Dick; Rep. Berta Gardner; Rep. Bob Herron; Rep. Cathy Munoz; Rep. Neal Foster; Rep. Paul Seaton
Subject: HB356

Dear Representatives,

I strongly support HB356 and would ask that you support it also.
Thank you for your service.

Sincerely,
Alan Jaquish
Anchorage

Linda Hay

F: Gary E. Hess <gdhess@aptalaska.net>
Send: Friday, March 30, 2012 12:15 PM
To: Rep. Eric Feige; Rep. Paul Seaton; Rep. Peggy Wilson;
Representative_Allen_Dick@Legis.state.ak.us; Rep. Neal Foster; Rep. Bob Herron;
Representative_Cathy_Munoz@Legis.state.ak.us; Rep. Berta Gardner; Rep. Scott Kawasaki
Subject: House Bill #356

Dear Representative: As the former longtime Chairman of the Upper Lynn Canal Fish & Game Advisory Committee & also former longtime member of the Chilkat Bald Eagle Advisory Board I would like to show my support of House Bill # 356 & would sincerely Hope that you would also support the bill. Thank You. Gary E. Hess

Linda Hay

F: lisa.e@gci.net on behalf of Tom Embley <tembley@circleplumbingandheating.com>
Sent: Friday, March 30, 2012 12:25 PM
To: Rep. Eric Feige
Subject: Support of HB 356

Please support the Following in its entirety.

HB 356 would require that current land managed by the Department of Natural Resources (DNR) and the Department of Fish and Game (DFG) remains open for "trapping and sport and subsistence hunting." Furthermore, any land that has to be closed for reasons pertaining to public safety or wildlife management must be compensated for by the opening of the same amount of land elsewhere.

Linda Hay

F: Cort Bro <seabrob@hotmail.com>
Sent: Friday, March 30, 2012 11:55 AM
To: Rep. Paul Seaton; Rep. Eric Feige; representative_scott_kawasaki@legis.state.ak.usrepresentative;
_peggy_wilson@legis.state.ak.us; Rep. Alan Dick;
representative_neal_foster@legis.state.ak.usrepresentative;
_bob_herron@legis.state.ak.usrepresentative; _cathy_munoz@legis.state.ak.usrepresentative;
_berta_gardner@legis.state.ak.us
Subject: Vote to support HB356.

Vote to support HB356.

Vote to support HB356.

Vote to support HB356.

Vote to support HB356.

Linda Hay

F: oldduckhunter@gci.net
Sent: Friday, March 30, 2012 7:57 AM
To: Rep. Eric Feige
Subject: HB 356

Hello Mr. Feige,

I urge you to support HB 356, this legislation is perhaps late in coming but better late than never. Over the past 40 years I have seen the deterioration of available public lands for hunters. Hunters paved the way for most of the trails that lead into the back country and now are being excluded. Hunters pay much more than their fair share towards conservation and management of all wildlife species and while we don't feel we deserve more access than others, we certainly feel it should be equal.

Sincerely,

Steven A. Meyer
P.O. Box 2652
Kenai, Alaska 99611
(907) 252-0071