



LAWS OF ALASKA

1971

Source

SB 144 am H

Chapter No.

115

AN ACT

Relating to endangered species of fish and wildlife.

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

* Section 1. AS 16.20 is amended by adding new sections to read:

Sec. 16.20.180. DECLARATION OF PURPOSE. The legislature recognizes that, due to growth and development, certain species or subspecies of fish and wildlife are now and may in the future be threatened with extinction. The purpose of this Act is to establish a program for their continued conservation, protection, restoration and propagation.

Sec. 16.20.185. PROTECTION OF HABITAT. On land under their respective jurisdictions, the commissioner of fish and game and the commissioner of natural resources shall take measures to preserve the natural habitat of species or subspecies of fish and wildlife that are recognized as threatened with extinction.

Sec. 16.20.190. ENDANGERED SPECIES. (a) A species or subspecies of fish or wildlife is considered endangered when the commissioner of fish and game determines that its numbers have decreased to such an extent as to indicate that its continued existence is threatened. In making this determination the commissioner of fish and game shall consider

- (1) the destruction, drastic modification, or severe curtailment of its habitat;
- (2) its overutilization for commercial or sporting purposes;

(3) the effect on it of disease or predation;

(4) other natural or man-made factors affecting its continued existence.

(b) After making a determination under (a) of this section, the commissioner of fish and game shall, in accordance with the Administrative Procedure Act (AS 44.-62), publish a list of the species or subspecies of fish and wildlife that are endangered. The commissioner shall, at least once every two years thereafter, conduct a thorough review of the list to determine what changes have occurred concerning the species or subspecies listed. Consideration of existing species or subspecies of fish and wildlife for listing under this section shall be made on a continuing basis. The review of listed species or subspecies conducted under this section shall be submitted in writing to the governor and the legislature and shall be made available to the public.

(c) In making his determination and review under (a) and (b) of this section, the commissioner of fish and game shall seek the advice and recommendation of interested persons and organizations, including but not limited to ornithologists, ichthyologists, ecologists and zoologists.

Sec. 16.20.195. PERMIT FOR HARVESTING OF ENDANGERED SPECIES. No species or subspecies of fish or wildlife listed as endangered under sec. 190(b) of this chapter may be harvested, captured or propagated except under the terms of a special permit issued by the commissioner of fish and game for scientific or educational purposes, or for propagation in captivity for the purpose of preservation.

Sec. 16.20.200. PENALTY. A person who, without a permit issued under sec. 195 of this chapter, harvests, injures, imports, exports, or captures a species or subspecies of fish or wildlife listed under sec. 190 of this chapter, is guilty of a misdemeanor.

Sec. 16.20.210. DEFINITIONS. In secs. 180 - 210 of this chapter "fish or wildlife" includes birds.