



# LAWS OF ALASKA

1999

SECOND SPECIAL SESSION

**Source**

HCS SB 74(RLS) am H

**Chapter No.**

2

**AN ACT**

Relating to hunting on the same day airborne.

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

THE ACT FOLLOWS ON PAGE 1

**Veto Overridden:** September 25, 1999

**Actual Effective Date:** December 24, 1999

AN ACT

1 Relating to hunting on the same day airborne.

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3 \* Section 1. AS 16.05.783(a) is amended to read:

4 (a) A person may not shoot or assist in shooting a free-ranging wolf,  
5 wolverine, fox, or lynx the same day that a person has been airborne. However, the  
6 Board of Game may authorize a **predator** [WOLF] control program involving [THE]  
7 shooting [OF WOLVES] from the air if

8 (1) the commissioner of fish and game **acting under a request from**  
9 **the Board of Game** makes written findings based on **prey population objectives set**  
10 **by the board under AS 16.05.255(g)** [ADEQUATE DATA DEMONSTRATING] that

11 **(A) predation is an important factor contributing to a low**  
12 **or declining prey population that is inconsistent with a game management**  
13 **program authorized by the Board of Game, and that a reduction of**  
14 **predation can reasonably be expected to result in aiding an increase in the**  
15 **prey population or in arresting the decline of the prey population; or**

1 (B) a disease or parasite of a predator population

2 (i) is threatening the normal biological condition of  
3 the predator population; or

4 (ii) if left untreated, would spread to other  
5 populations; and

6 (2) the commissioner determines that airborne or same day  
7 airborne shooting is necessary to accomplish a game management program  
8 authorized by the Board of Game [A BIOLOGICAL EMERGENCY EXISTS AND  
9 THAT THERE IS NO FEASIBLE SOLUTION OTHER THAN AIRBORNE  
10 CONTROL TO ELIMINATE THE BIOLOGICAL EMERGENCY, AND

11 (2) THE PROGRAM IS CONDUCTED ONLY BY DEPARTMENT  
12 OF FISH AND GAME PERSONNEL

13 (3) THE PROGRAM IS LIMITED TO THE SPECIFIC  
14 GEOGRAPHICAL AREA WHERE THE BIOLOGICAL EMERGENCY EXISTS,  
15 AND

16 (4) THE PROGRAM REMOVES ONLY THE MINIMUM NUMBER  
17 OF WOLVES NECESSARY TO ELIMINATE THE BIOLOGICAL EMERGENCY].

18 \* Sec. 2. AS 16.05.783(b) is amended to read:

19 (b) This section does not apply to

20 (1) a person who was airborne the same day if that person was airborne  
21 only on a regularly scheduled commercial flight; or

22 (2) an employee of the department who, as part of a game  
23 management program, is authorized to shoot or to assist in shooting wolf,  
24 wolverine, fox, or lynx on the same day that the employee has been airborne.

25 \* Sec. 3. AS 16.05.783(d) is amended by adding a new paragraph to read:

26 (3) "game management program" means a program authorized by the  
27 Board of Game or the commissioner to achieve identified game management objectives  
28 in a designated geographic area.

29 \* Sec. 4. AS 16.05.783(d)(2) is repealed.