

1 HB330  
2 116282-3  
3 By Representative Ford  
4 RFD: Agriculture and Forestry  
5 First Read: 19-JAN-10

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ENROLLED, An Act,

To add Section 9-11-2.1 to the Code of Alabama 1975, relating to no net loss of land acreage available for hunting; to require the Department of Conservation and Natural Resources to find replacement acreage for hunting lands when existing hunting lands owned by the department are closed or to find replacement acreage for hunting lands, where feasible, when existing hunting lands managed by the department are closed to ensure there is no net loss of land acreage available for hunting.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 9-11-2.1 is added to the Code of Alabama 1975, to read as follows:

(a) For the purposes of this act, the following terms shall have the following meanings:

(1) DEPARTMENT. The Alabama Department of Conservation and Natural Resources.

(2) DEPARTMENT-MANAGED LANDS. Privately owned lands that are leased or managed by the department.

(3) DEPARTMENT-OWNED LANDS. Lands owned by the department and lands owned by the state over which the department holds management authority.

(4) HUNTING. The lawful pursuit, trapping, shooting, capture, collection, or killing of wildlife or the lawful

1 attempt to pursue, trap, shoot, capture, collect, or kill  
2 wildlife.

3 (b) Department-owned lands and department-managed  
4 lands shall be open to access and use for hunting except as  
5 limited by the department for reasons of demonstrable public  
6 safety, fish or wildlife management, homeland security,  
7 ~~department management policy~~, or as otherwise limited by law.

8 (c) The department, in exercising its authority  
9 pursuant to state law, shall exercise its authority,  
10 consistent with this section in a manner that supports,  
11 promotes, and enhances hunting opportunities to the extent  
12 authorized by state law.

13 (d) Department land management decisions and actions  
14 shall not result in any net loss of habitat land acreage  
15 available for hunting opportunities on department-owned lands  
16 that exist on the effective date of this act. The department  
17 shall expeditiously find replacement acreage for hunting to  
18 compensate for closures of any existing hunting land.  
19 Replacement land, to the greatest extent possible, shall be  
20 located within the same administrative region of the  
21 department and shall be consistent with the hunting discipline  
22 that the department allowed on the closed land.

23 (e) Any state agency or water management district  
24 that owns or manages lands shall assist, coordinate, and  
25 cooperate with the department to allow hunting on the lands if

1 the lands are determined by the department to be suitable for  
2 hunting. To ensure no net loss of land acreage available for  
3 hunting, state agencies and water management districts shall  
4 cooperate with the department to open new, additional hunting  
5 lands to replace lost hunting acreage. Lands officially  
6 designated as units within the state park system may not be  
7 considered for replacement hunting lands and may only be  
8 opened for hunting when necessary as a wildlife control or  
9 management tool as determined by the Division of State Parks  
10 of the department.

11 (f) By October 1 of each year, the division director  
12 of the Division of Wildlife and Freshwater Fisheries of the  
13 department shall submit to the Legislature a written report  
14 describing all of the following:

15 (1) The acreage owned or managed by the department  
16 that was closed to hunting during the previous fiscal year and  
17 the reasons for the closures.

18 (2) The acreage owned or managed by the department  
19 that was opened to hunting to compensate for closures of  
20 existing land pursuant to this section.

21 (g) By October 1 of each year, any state agency or  
22 water management district that owns or manages lands shall  
23 submit a written report to the department and the Legislature  
24 describing all of the following:

1                   (1) A list of properties that were open for hunting  
2 during the previous fiscal year.

3                   (2) A list of properties that were not open for  
4 hunting during the previous fiscal year.

5                   (3) The acreage for each property and the county  
6 where each property is located, except for right-of-way lands  
7 and parcels under 50 acres.

8                   Section 2. This act shall become effective  
9 immediately following its passage and approval by the  
10 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 16-FEB-10, as amended.

Greg Pappas  
Clerk

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Senate

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09-MAR-10

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Passed