

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

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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8 To add Section 9-11-2.1 to the Code of Alabama 1975,
9 relating to no net loss of land acreage available for hunting;
10 to require the Department of Conservation and Natural
11 Resources to find replacement acreage for hunting lands when
12 existing hunting lands owned by the department are closed or
13 to find replacement acreage for hunting lands, where feasible,
14 when existing hunting lands managed by the department are
15 closed to ensure there is no net loss of land acreage
16 available for hunting.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

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

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

4 (4) HUNTING. The lawful pursuit, trapping, shooting,
5 capture, collection, or killing of wildlife or the lawful
6 attempt to pursue, trap, shoot, capture, collect, or kill
7 wildlife.

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

13 (c) The department, in exercising its authority
14 pursuant to state law, shall exercise its authority,
15 consistent with this section in a manner that supports,
16 promotes, and enhances hunting opportunities to the extent
17 authorized by state law.

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

1 department and shall be consistent with the hunting discipline
2 that the department allowed on the closed land.

3 (e) Any state agency or water management district
4 that owns or manages lands shall assist, coordinate, and
5 cooperate with the department to allow hunting on the lands if
6 the lands are determined by the department to be suitable for
7 hunting. To ensure no net loss of land acreage available for
8 hunting, state agencies and water management districts shall
9 cooperate with the department to open new, additional hunting
10 lands to replace lost hunting acreage. Lands officially
11 designated as units within the state park system may not be
12 considered for replacement hunting lands and may only be
13 opened for hunting when necessary as a wildlife control or
14 management tool as determined by the Division of State Parks
15 of the department.

16 (f) By October 1 of each year, the division director
17 of the Division of Wildlife and Freshwater Fisheries of the
18 department shall submit to the Legislature a written report
19 describing all of the following:

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

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

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

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

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

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

12 Section 2. This act shall become effective
13 immediately following its passage and approval by the
14 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Agriculture and
Forestry 19-JAN-10

Read for the second time and placed
on the calendar 04-FEB-10

Read for the third time and passed
as amended 16-FEB-10

Yeas 95, Nays 0, Abstains 0

Greg Pappas
Clerk