

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

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Existing law does not require the  
9 Department of Conservation and Natural Resources to  
10 ensure there is no net loss of land acreage  
11 available for hunting.

12 This bill would require the Department of  
13 Conservation and Natural Resources to find  
14 replacement acreage for hunting lands when existing  
15 hunting lands owned or managed by the department  
16 are closed to ensure there is no net loss of land  
17 acreage available for hunting.

18  
19 A BILL

20 TO BE ENTITLED

21 AN ACT

22  
23 To add Section 9-11-2.1 to the Code of Alabama 1975,  
24 relating to no net loss of land acreage available for hunting;  
25 to require the Department of Conservation and Natural  
26 Resources to find replacement acreage for hunting lands when  
27 existing hunting lands owned by the department are closed or

1 to find replacement acreage for hunting lands, where feasible,  
2 when existing hunting lands managed by the department are  
3 closed to ensure there is no net loss of land acreage  
4 available for hunting.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

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

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

17 (4) HUNTING. The lawful pursuit, trapping, shooting,  
18 capture, collection, or killing of wildlife or the lawful  
19 attempt to pursue, trap, shoot, capture, collect, or kill  
20 wildlife.

21 (b) Department-owned lands and department-managed  
22 lands shall be open to access and use for hunting except as  
23 limited by the department for reasons of public safety, fish  
24 or wildlife management, homeland security, department  
25 management policy, or as otherwise limited by law.

26 (c) The department, in exercising its authority  
27 pursuant to state law, shall exercise its authority,

1 consistent with this section in a manner that supports,  
2 promotes, and enhances hunting opportunities to the extent  
3 authorized by state law.

4 (d) Department land management decisions and actions  
5 shall not result in any net loss of habitat land acreage  
6 available for hunting opportunities on department-owned lands  
7 that exist on the effective date of this act. The department  
8 shall expeditiously find replacement acreage for hunting to  
9 compensate for closures of any existing hunting land.  
10 Replacement land, to the greatest extent possible, shall be  
11 located within the same administrative region of the  
12 department and shall be consistent with the hunting discipline  
13 that the department allowed on the closed land.

14 (e) Any state agency or water management district  
15 that owns or manages lands shall assist, coordinate, and  
16 cooperate with the department to allow hunting on the lands if  
17 the lands are determined by the department to be suitable for  
18 hunting. To ensure no net loss of land acreage available for  
19 hunting, state agencies and water management districts shall  
20 cooperate with the department to open new, additional hunting  
21 lands to replace lost hunting acreage. Lands officially  
22 designated as units within the state park system may not be  
23 considered for replacement hunting lands and may only be  
24 opened for hunting when necessary as a wildlife control or  
25 management tool as determined by the Division of State Parks  
26 of the department.

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

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

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

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

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

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

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

22 Section 2. This act shall become effective  
23 immediately following its passage and approval by the  
24 Governor, or its otherwise becoming law.