

1 SB238
2 190497-1
3 By Senator Melson
4 RFD: Governmental Affairs
5 First Read: 30-JAN-18

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8 SYNOPSIS: Under existing law, the Commissioner of the
9 Department of Conservation and Natural Resources is
10 authorized to appoint deputy game and fish wardens.

11 This bill would abolish the position of
12 deputy game and fish warden.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 Relating to deputy game and fish wardens; to amend
19 Sections 9-2-28, 9-2-64, and 9-11-1, Code of Alabama 1975; to
20 abolish the position of deputy game and fish warden and delete
21 any references to the position; and to repeal Section 9-11-17,
22 Code of Alabama 1975.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Sections 9-2-28, 9-2-64, and 9-11-1, Code
25 of Alabama 1975, are amended to read as follows:

26 "§9-2-28.

1 "Whenever the terms "game and fish warden" or "game
2 and fish wardens" appear in this title, ~~but not including~~
3 ~~deputies, such~~ the terms shall mean and refer to conservation
4 officers appointed by the Commissioner of the Department of
5 Conservation and Natural Resources.

6 "§9-2-64.

7 "The Commissioner of Conservation and Natural
8 Resources shall have power to appoint as many game and fish
9 wardens as he or she shall deem necessary for the proper
10 enforcement of the game and fish laws of the state. All game
11 and fish wardens ~~or deputy wardens shall~~, before entering upon
12 their duties as such, shall take the oath of office as
13 required by law for sheriffs in this state. Before entering
14 upon the duties of their offices, all game and fish wardens ~~or~~
15 ~~deputy wardens~~ shall execute to the State of Alabama a bond,
16 to be approved by the Governor, in the amount of one thousand
17 dollars (\$1,000.00), for the faithful performance of their
18 duties. The employees provided for in this section shall be
19 reimbursed for their meals, lodging, and transportation when
20 absent from their headquarters in the performance of their
21 duties. ~~Where any area of land or water by purchase, lease or~~
22 ~~otherwise has been duly organized and developed as a hunting~~
23 ~~or fishing club, upon recommendation from the officers of such~~
24 ~~club the Commissioner of Conservation and Natural Resources~~
25 ~~may appoint the superintendent, keeper or other person in~~
26 ~~charge of the club's grounds and premises, without expense to~~
27 ~~the state, to the position of deputy game and fish warden.~~

1 "§9-11-1.

2 "As used in this chapter, the following words and
3 phrases shall have the following meanings, respectively,
4 unless the context clearly indicates otherwise:

5 "(1) HEREIN, HEREAFTER and HEREOF. Unless otherwise
6 especially restricted or enlarged, ~~such~~ the terms refer to the
7 whole of the conservation laws of this state.

8 "~~(3)~~ (2) OFFICER. ~~Such~~ The term includes every
9 person authorized to enforce ~~the provisions of~~ the game and
10 fish laws of this state, and whenever the possession, use,
11 importation, transportation, storage, sale, offering, or
12 exposing for sale of game birds, animals, or fish is
13 prohibited or restricted, the prohibition or restriction shall
14 extend to and include every part of ~~such~~ the game, bird,
15 animal, or fish, and a violation as to each animal, bird, or
16 fish, or part thereof, shall be a separate offense.

17 "~~(4)~~ (3) THIS CHAPTER or PROVISIONS OF THIS CHAPTER.
18 ~~Such~~ The words shall be taken and construed to include all
19 rules and regulations of the Commissioner of Conservation and
20 Natural Resources passed under and by the authority provided
21 in the game and fish laws of this state.

22 "~~(2)~~ (4) WARDEN. The game and fish warden, ~~deputy~~
23 ~~game warden~~ or agent provided for in the game and fish laws of
24 this state."

25 Section 2. Section 9-11-17, Code of Alabama 1975,
26 which authorizes the Commissioner of the Department of

1 Conservation and Natural Resources to appoint deputy game and
2 fish wardens, is repealed.

3 Section 3. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.