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HB 103
Sponsor Statement

"An Act relating to the authority of the Board of Fisheries and the Board of Game to adopt, amend, or repeal regulations."

The clear intent of our constitutional framers and early legislators was to include the public in the process of managing and allocating our fish and game resources. Alaska is unique, for example, among all states for operating a system of fish and game advisory committees (ACs).

Unfortunately, this intent toward public participation has in recent years been frustrated by a commingling of the functions of the *boards* of fish and game with the *Department* of Fish and Game, the result of which has been public exclusion.

The legislature is empowered in Art. 8, Sec. 2 of the Alaska Constitution with managing and allocating all resources, including fish and game. The legislature has in turn statutorily delegated that *management* authority by creating the Department of Fish and Game in the executive branch to manage fish and game resources. The legislature also delegated the *allocation* authority by creating the Board of Fisheries and Game, but they did not put these boards in the executive branch.

Current statute and regulation require proposals for the allocation of fish and game resources to be submitted by a published deadline before the board meeting. Members of the public, advisory committees, the department, and the board can submit such proposals. Typically, these proposals are published well ahead of the meeting for the interested public to scrutinize, and if they deem necessary, offer input.

The problem that has developed is that board factions, using department staff for support, are developing proposals outside of the public purview. While individual members of the public and ACs must submit their proposals in advance of board meetings, the board factions and department staff can work on proposal language with no notice to the public. This language is often adopted as board regulation without the public having opportunity to engage in its development.

HB 103 will solve this problem and again put the public on equal footing with the government; as well as, introduce transparency to our public process.