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Leadership

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Judiciary Committee

Ethics Committee



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Sponsor Statement HB 35

"An Act relating to participation in matters before the Board of Fisheries and the Board of Game by the members of the respective boards; and providing for an effective date."

This legislation changes the manner in which the Board of Fisheries and Board of Game function by allowing members to deliberate on subjects for which they have a declared personal or financial interest according to AS 39.52, the Executive Branch Ethics Act.

Members are selected based on their "knowledge and ability in the field of action of the board, and with a view to providing diversity of interest and points of view in membership"; however, Title 39 prohibits a member from "taking or withholding official action in order to affect a matter in which the member has a personal or financial interest." (AS 39.52.120(b)(4)). "Official action" is defined to as "advice, participation, or assistance, including for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction by a public officer." (AS 39.52.960(14)).

Currently, board members are required to divulge a conflict of interest if they, or their immediate family members, are involved in the subject being deliberated on. The conflicted member can then no longer offer their input on the process and cannot vote on the matter at hand. Often in the fishing world, a financial or personal interest corresponds with someone's knowledge of that particular fishery.

This bill allows the conflicted member to offer remarks and input, but still precludes them from voting on the issue at hand or on whether they have a conflict of interest.

Allowing members with expertise in particular fields to deliberate will help the boards make more informed decisions, lead to stronger resource management statewide, and align process with intent as far as the boards benefiting from members' knowledge and diversity of viewpoints.

Thank you for your support of this legislation.

Please contact my staff, Matt Gruening, at 465-3271 regarding any questions.