

ALASKA STATE HOUSE OF REPRESENTATIVES

Interim Address:
345 W. Sterling Hwy
Suite 102B
Homer, Alaska 99603
Phone: (907) 235-2921
Fax: (907) 235-4008



Session Address:
State Capitol, Room 102
Juneau, Alaska 99801
Phone: (907) 465-2689
Fax: (907) 465-3472

REPRESENTATIVE PAUL SEATON DISTRICT 35

Sponsor Statement HB 41

HB 41 expands the ability of Board of Fish members to offer their experienced viewpoint during board debates.

Current law requires board members to declare a conflict and recuse themselves from discussion and voting if they, or a member of their family, have a personal or financial interest in a matter before the board. This requirement prevents commercial fishermen and sport fishing guides from discussing fishery issues that they are intimately familiar with through their participation in the fishery. HB 41 allows commercial and sport fishermen, after full disclosure, to deliberate on fishing issues in which they have a conflict based on their participation in the fishery. These members are not allowed to vote. HB 41 does not allow board members to participate on issues in which they have a paid financial interest as a consultant or a lobbyist.

The Board of Fish is composed of seven members. If one or two members are conflicted out of a discussion because of their in-depth knowledge, the entire process suffers. On average between 2001 and 2006 individual board members were required to recuse themselves on nearly ten percent of the proposals in each board cycle.

Under current law, recusals from board discussion disproportionately affect rural Alaska. Often board members from rural areas have been living in the region for generations and have extensive family involvement in regional fisheries. The applicable definition of immediate family includes parents, siblings, grandparents, aunts and uncles. This expansive definition of immediate family often takes rural representatives out of board discussion on nearly all of the proposals for their entire region, leaving the board without their representation.

A board member would have a conflict of interest on an issue under this bill when a board action might affect a member of their household. This bill applies the same definition found in the new Legislative Ethics Act for defining a board member's participatory conflict of interest.

HB 41 contains a sunset of 2012, giving the Legislature the opportunity to review the effect of the changes imposed by the bill. The Department of Fish and Game is to submit a report to the Legislature at this time, detailing the recusals prevented by this change in statute, and providing a recommendation on whether or not the statutory change should be allowed to expire.