

HOUSE BILL NO. 54

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE TARR

Introduced: 1/15/21
Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing the Alaska Invasive Species Council in the Department of Fish and**
2 **Game; relating to management of invasive species; relating to invasive species**
3 **management decals; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 16.20 is amended by adding new sections to read:

6 **Article 6. Management of Invasive Species.**

7 **Sec. 16.20.800. Invasive species management decals.** The department shall
8 annually produce and make available to the public invasive species management
9 decals. The department shall, in conjunction with the Alaska Invasive Species
10 Council, provide for the selection of designs for invasive species management decals
11 and for the production and sale of the decals. The department may produce and sell
12 different decals in quantities that the commissioner and council consider appropriate.
13 Upon payment of a \$20 fee, a person may purchase an invasive species management
14 decal from the department. The legislature may appropriate the annual estimated

1 balance in the account maintained by the commissioner of administration under
 2 AS 37.05.142 to the department to carry out the purposes of this section or to the
 3 invasive species response fund established under AS 16.20.820.

4 **Sec. 16.20.810. Alaska Invasive Species Council.** (a) The Alaska Invasive
 5 Species Council is an advisory council established in the department to facilitate
 6 efforts by the department, the Department of Natural Resources, the Department of
 7 Environmental Conservation, the Department of Transportation and Public Facilities,
 8 and other natural resource-related governmental entities operating in the state to
 9 manage invasive species in the state by

10 (1) facilitating cooperation between state, federal, tribal, and local
 11 agencies and nongovernmental organizations;

12 (2) assisting in coordination of activities to manage invasive species,
 13 including those undertaken by local governments and nongovernmental organizations;

14 (3) recommending coordinated interagency strategies and policies
 15 related to management of invasive species, including

16 (A) importation, possession, and use of invasive species;

17 (B) classification and listing of non-native species; and

18 (C) management of pathways associated with transfer of
 19 invasive species;

20 (4) upon a state agency's request, providing guidance as to how to
 21 prioritize the state agency's responses to occurrences of invasive species and how
 22 funds made available under AS 16.20.820 may be best used;

23 (5) recommending expenditures from the invasive species response
 24 fund;

25 (6) providing technical information and assistance to persons engaged
 26 in regional and national invasive species management efforts;

27 (7) selecting designers for invasive species management decals and
 28 approving and promoting the designs.

29 (b) Except as provided in (c) of this section, the council consists of

30 (1) the following members appointed by the governor to three-year
 31 terms:

1 (A) a representative of a soil and water conservation district
2 established under AS 41.10.130;

3 (B) a person engaged in commercial agriculture, horticulture,
4 or landscaping;

5 (C) a person engaged in commercial aquaculture or
6 mariculture;

7 (D) a representative of a commercial fishing organization;

8 (E) a representative of a sport fishing organization;

9 (F) a representative of an Alaska tribal entity;

10 (G) a representative of an Alaska Native corporation;

11 (H) a person engaged in the tourism industry;

12 (I) a person who owns a seaplane, is employed as a seaplane
13 pilot, or is otherwise knowledgeable about seaplanes;

14 (J) a representative of an organization formed to combat the
15 spread of invasive species in the state;

16 (K) a person involved in the forest products industry;

17 (L) a person engaged in commercial excavation work,
18 construction, mining, or the oil and gas industry;

19 (M) a person who has worked for or participated in a state
20 program to prevent the spread of invasive plants;

21 (N) a member or representative of the Alaska Municipal
22 League;

23 (O) a person engaged in management, research, or education
24 activities relating to invasive species;

25 (P) a person engaged in the shipping industry;

26 (Q) a representative of a utility knowledgeable about utility
27 corridors;

28 (2) a representative from each of the following federal agencies,
29 serving ex officio, if the agency elects to participate:

30 (A) the Department of the Interior;

31 (B) the Department of Commerce;

1 (C) the Department of Agriculture;

2 (D) the Department of Homeland Security;

3 (E) the Department of Defense;

4 (3) the commissioner from each of the following departments or the
5 commissioner's designee, serving ex officio:

6 (A) the Department of Fish and Game;

7 (B) the Department of Natural Resources;

8 (C) the Department of Environmental Conservation;

9 (D) the Department of Transportation and Public Facilities; and

10 (4) the chairperson of the board of directors of the Alaska Railroad
11 Corporation or the chairperson's designee.

12 (c) The council may, as the council finds necessary, invite additional persons
13 to be nonvoting advisory members of the council. The council may prescribe
14 procedures for the participation of persons added to the council under this subsection.

15 (d) The council shall adopt bylaws to govern its operation. The bylaws must
16 provide procedures for

17 (1) decision making;

18 (2) periodically electing one member as chair;

19 (3) calling meetings; and

20 (4) establishing subcommittees and advisory committees.

21 (e) The council shall meet at least once each year. Meetings and council votes
22 may be held by audio or video teleconference.

23 (f) Members of the council serve without compensation and are not entitled to
24 per diem and travel expenses. However, a member appointed under (b)(3) of this
25 section is entitled to per diem and travel expenses as a state employee.

26 (g) By January 15 of each odd-numbered year, the council shall prepare and
27 present to the legislature an updated five-year strategic plan that addresses the
28 economic effects of invasive species, states the council's suggested priorities for
29 addressing invasive species, and recommends legislation and funding required to
30 implement the council's priorities. The council shall transmit the plan to the senate
31 secretary and the chief clerk of the house of representatives and notify the legislature

1 that the strategic plan is available.

2 (h) Council members appointed under (b)(1) of this section serve staggered
3 three-year terms and until a successor is appointed. If a vacancy occurs, the governor
4 shall appoint a member for the unexpired portion of the term within 60 days after the
5 occurrence of the vacancy.

6 **Sec. 16.20.820. Invasive species response fund.** The invasive species
7 response fund is established as an account in the general fund. The fund consists of
8 appropriations made to the fund. Money appropriated to the fund does not lapse. The
9 department may use money appropriated to the fund to manage invasive species,
10 without further appropriation.

11 **Sec. 16.20.850. Definitions.** In AS 16.20.800 - 16.20.850,

12 (1) "commissioner" means the commissioner of fish and game;

13 (2) "council" means the Alaska Invasive Species Council;

14 (3) "department" means the Department of Fish and Game;

15 (4) "invasive species" means a non-native species the introduction of
16 which causes or is likely to cause economic harm, environmental harm, or harm to
17 human health;

18 (5) "manage invasive species" means to take actions to prevent or
19 minimize harmful impacts of invasive species on the economy, the environment,
20 public health, infrastructure, and cultural heritage;

21 (6) "non-native species" includes any biological material capable of
22 propagating a species that is not native to the state or an ecosystem in the state.

23 * **Sec. 2.** AS 37.05.146(c) is amended by adding a new paragraph to read:

24 (80) fees collected for invasive species management decals by the
25 Department of Fish and Game under AS 16.20.800.

26 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
27 read:

28 APPOINTMENT OF MEMBERS AND CHAIR AND TIMING AND NUMBER OF
29 MEETINGS REQUIRED IN INITIAL YEAR. (a) Notwithstanding AS 16.20.810(h), added
30 by sec. 2 of this Act, the governor shall appoint the initial members of the Alaska Invasive
31 Species Council required under AS 16.20.810(b)(1) within 60 days after the effective date of

1 this Act. Notwithstanding AS 16.20.810(d)(2), the governor shall designate one member to
2 serve as the initial chair of the council. The governor shall appoint the members to staggered
3 terms as follows:

4 (1) six members shall be appointed to serve three years;

5 (2) six members shall be appointed to serve two years; and

6 (3) five members shall be appointed to serve one year.

7 (b) Notwithstanding AS 16.20.810(d) and (e), added by sec. 2 of this Act, the Alaska
8 Invasive Species Council shall

9 (1) hold its first meeting within 90 days after the appointment of members
10 under (a) of this section; and

11 (2) meet at least four times in the 12 months following the appointment of
12 members under (a) of this section.

13 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).