

SENATE BILL NO. 49

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY SENATOR PEARCE

Introduced: 1/25/95

Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Board of Fisheries; and providing for an effective date."

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

3 * **Section 1.** AS 16.05.221(a) is amended to read:

4 (a) For purposes of the conservation and development of the fishery resources
5 of the state, there is created the Board of Fisheries composed of **three** [SEVEN]
6 members appointed by the governor, subject to confirmation by a majority of the
7 members of the legislature in joint session. The governor shall appoint each member
8 on the basis of interest in public affairs, good judgment, knowledge, and ability in the
9 field of action of the board, and with a view to providing diversity of interest and
10 points of view in the membership. The appointed members shall be residents of the
11 state and shall be appointed without regard to political affiliation or geographical
12 location of residence. **The governor shall designate one member of the board as**
13 **chair of the board. The member designated shall serve as chair for a term of two**
14 **years, and may be designated chair for successive two-year terms. A member of**
15 **the board may not have a vested economic interest in an interim-use permit, entry**

1 permit, commercial fishing vessel or gear, or in any fishery resource processing
2 or marketing business. The commissioner is not a member of the Board of Fisheries,
3 but shall be ex officio secretary.

4 * **Sec. 2.** AS 16.05.221(c) is amended to read:

5 (c) Members of the Board of Fisheries serve staggered terms of four years
6 and until a successor is appointed. Members of the [BOARD OF FISHERIES OR]
7 Board of Game serve staggered terms of three years and until a successor is appointed.
8 An appointment to fill a vacancy in the membership of the Board of Fisheries or Board
9 of Game shall be made in the same manner as the original appointment and for the
10 balance of the unexpired term.

11 * **Sec. 3.** AS 16.05.290 is amended to read:

12 Sec. 16.05.290. COMPENSATION OF BOARD MEMBERS. Each member
13 of the Board of Game [A BOARD] is entitled to compensation at a rate equal to Step
14 A, Range 20, of the salary schedule in AS 39.27.011(a) for Juneau, Alaska, for each
15 day going to and from and for each day in actual attendance at board meetings. For
16 other meetings or conferences authorized by the [A] board, a member shall receive
17 compensation at a rate equal to one-half of Step A, Range 20, of the salary schedule
18 in AS 39.27.011(a) for Juneau, Alaska, for each day going to and from and for each
19 day in actual attendance. Each member of the [A] board is also entitled to travel
20 expenses and per diem authorized for boards and commissions under AS 39.20.180.

21 * **Sec. 4.** AS 16.05.290 is amended by adding a new subsection to read:

22 (b) Members of the Board of Fisheries are in the exempt service and are
23 entitled to a monthly salary equal to Step C, Range 26, of the salary schedule in
24 AS 39.27.011(a) for Juneau, Alaska.

25 * **Sec. 5.** AS 16.05.320 is amended to read:

26 Sec. 16.05.320. QUORUM. A majority of the members of a board constitutes
27 a quorum for the transaction of business, for the performance of any duty, and for the
28 exercise of any power. However, a majority of the full board membership is required
29 to carry all motions, regulations, and resolutions. A majority of the members of each
30 of the boards of fisheries and game constitute a quorum for the transaction of business
31 in a joint board meeting. A majority of the membership of each of the boards is

1 required to carry all joint motions, regulations, and resolutions of the boards.

2 * **Sec. 6.** AS 39.25.110(11) is amended to read:

3 (11) the officers and employees of the following boards, commissions,
4 and authorities:

5 (A) [REPEALED

6 (B)] Alaska Permanent Fund Corporation;

7 ~~(B)~~ [(C)] Alaska Industrial Development and Export Authority;

8 ~~(C)~~ [(D)] Alaska Commercial Fisheries Entry Commission;

9 ~~(D)~~ [(E)] Alaska Commission on Postsecondary Education;

10 ~~(E)~~ [(F)] Alaska Aerospace Development Corporation;

11 **(F) Board of Fisheries;**

12 * **Sec. 7.** The governor shall appoint, and submit to the legislature for confirmation
13 by the 10th legislative day of the Second Regular Session of the Nineteenth Alaska State
14 Legislature, three persons qualified to serve on the Board of Fisheries as restructured by
15 secs. 1 - 6 of this Act. Notwithstanding AS 16.05.221(c), as amended by sec. 2 of this
16 Act, the governor shall appoint one person to serve on the board for an initial term of
17 two years, one person to serve on the board for an initial term of three years, and one
18 person to serve on the board for a term of four years.

19 * **Sec. 8.** (a) This section of this Act does not take effect if sec. 9 of this Act is passed
20 by concurrence of two-thirds of the membership of each house of the Alaska State
21 Legislature as provided under art. II, sec. 18, Constitution of the State of Alaska.

22 (b) Notwithstanding secs. 1 - 6 of this Act, the persons serving as members of the
23 Board of Fisheries on the day before the effective date of sec. 1 of this Act, and their
24 successors, shall continue to serve on the board until July 1 following the confirmation
25 by the legislature of at least two of the three persons appointed by the governor to serve
26 on the Board of Fisheries as restructured by secs. 1 - 6 of this Act.

27 (c) Notwithstanding secs. 1 - 6 of this Act, the Board of Fisheries shall operate
28 under the provisions of AS 16.05.221, 16.05.290, 16.05.320, and AS 39.25.110 as those
29 provisions read on the day before the effective date of sec. 1 of this Act until July 1
30 following the confirmation by the legislature of at least two of the three persons
31 appointed by the governor to serve on the Board of Fisheries as restructured by secs. 1 -

1 6 of this Act.

2 * **Sec. 9.** Sections 1 - 6 of this Act take effect on July 1 following the confirmation by
3 the legislature of at least two of the three persons appointed by the governor to serve on
4 the Board of Fisheries as restructured by secs. 1 - 6 of this Act.