

**HOUSE BILL NO. 283**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES SCALZI, Stevens, Fate, Wilson**

**Introduced: 1/14/02**

**Referred: House Special Committee on Fisheries, Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to appointments to the Board of Fisheries and to the ex officio**  
2 **secretary of the Board of Fisheries."**

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

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

5 (a) For purposes of the conservation and development of the fishery resources  
6 of the state, there is created the Board of Fisheries composed of seven members  
7 appointed by the governor, subject to confirmation by a majority of the members of  
8 the legislature in joint session. The governor shall appoint each member on the basis  
9 of interest in public affairs, good judgment, knowledge, and ability in the field of  
10 action of the board, and with a view to providing diversity of interest and points of  
11 view in the membership. The appointed members shall be residents of the state and  
12 shall be appointed without regard to political affiliation or geographical location of  
13 residence. **The governor shall appoint**

14 **(1) three members to the board who have at least five years of**

1 active participation in commercial fishing in the state, are actively engaged in the  
 2 profession of commercial fishing in the state, and hold a commercial fishing entry  
 3 permit or interim-use permit issued by the Alaska Commercial Fisheries Entry  
 4 Commission;

5 (2) three members to the board who have at least five years of  
 6 active participation in sport or personal use fishing or a combination of sport and  
 7 personal use fishing in the state and hold a sport or personal use fishing license or  
 8 permit; and

9 (3) one member to the board who has at least five years of active  
 10 participation in subsistence fishing in the state [THE COMMISSIONER IS NOT A  
 11 MEMBER OF THE BOARD OF FISHERIES, BUT SHALL BE EX OFFICIO  
 12 SECRETARY].

13 \* **Sec. 2.** AS 16.05.221(d) is amended to read:

14 (d) Members of the Board of Fisheries serve staggered terms of three years.  
 15 The terms of members of the board begin on July 1. Notwithstanding  
 16 AS 39.05.080(1), by April 1 of the calendar year in which the term expires, the  
 17 governor shall appoint a person to fill the vacancy that will arise on the board due to  
 18 expiration of the term of a member of the board and submit the name of the person to  
 19 the legislature for confirmation. If a vacancy arises on the board, the governor shall,  
 20 within 30 days after the vacancy arises, appoint a person to serve the balance of the  
 21 unexpired term and submit the name of the person to the legislature for confirmation.  
 22 A person appointed to fill the balance of an unexpired term **shall be selected and**  
 23 **appointed in the same manner as the member whose unexpired term is being**  
 24 **filled and** shall serve on the board from the date of appointment until the earlier of the  
 25 expiration of the term or the failure of the legislature to confirm the person under  
 26 AS 39.05.080. **A person may not be appointed to serve more than two**  
 27 **consecutive full terms on the board.**

28 \* **Sec. 3.** AS 16.05.221 is amended by adding a new subsection to read:

29 (e) The commissioner is not a member of the Board of Fisheries, but shall be  
 30 ex officio secretary.

31 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 APPLICABILITY. (a) AS 16.05.221(a), as amended by sec. 1 of this Act, and  
3 AS 16.05.221(d), as amended by sec. 2 of this Act, regarding the qualifications of members of  
4 the Board of Fisheries, apply to members of the Board of Fisheries who are appointed to the  
5 board on or after the effective date of this Act. Members serving on the Board of Fisheries on  
6 the day before the effective date of this Act shall continue to serve on the board for the  
7 remainder of the term to which they were appointed. A person who is appointed to fill the  
8 unexpired term of a member of the board who is serving on the board on the day before the  
9 effective date of this Act shall be appointed in accordance with the provisions of  
10 AS 16.05.221(d) as that subsection read on the day before the effective date of this Act.

11 (b) AS 16.05.221(d), as amended by sec. 2 of this Act, regarding the maximum  
12 number of consecutive full terms that a person may serve on the Board of Fisheries, applies to  
13 all persons appointed to the Board of Fisheries on or after the effective date of this Act and to  
14 all persons who are serving on the Board of Fisheries on the effective date of this Act.

15 \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
16 read:

17 INITIAL APPOINTMENT OF MEMBERS OF THE BOARD OF FISHERIES IN  
18 ACCORDANCE WITH THIS ACT. The first, third, and sixth terms of members of the  
19 Board of Fisheries that expire on or after the effective date of this Act shall be filled by  
20 persons appointed in accordance with AS 16.05.221(a)(1), as added by sec. 1 of this Act.  
21 The second, fifth, and seventh terms of members of the Board of Fisheries that expire on or  
22 after the effective date of this Act shall be filled by persons appointed in accordance with  
23 AS 16.05.221(a)(2), as added by sec. 1 of this Act. The fourth term of a member of the Board  
24 of Fisheries that expires on or after the effective date of this Act shall be filled by a person  
25 appointed under AS 16.05.221(a)(3), as added by sec. 1 of this Act.