

**CS FOR SENATE BILL NO. 69(RES)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

**BY THE SENATE RESOURCES COMMITTEE**

**Offered: 3/29/04**

**Referred: Rules**

**Sponsor(s): SENATOR WAGONER**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to participation in matters before the Board of Fisheries by members**  
2 **of the board; and providing for an effective date."**

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

4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 PURPOSE. The purpose of this Act is to preserve and enhance the ability of the  
7 Board of Fisheries to act as a lay board. To accomplish this goal, this Act requires members  
8 of the board to participate in the issues that come before the board even though the members  
9 have a personal or financial interest in the matter by virtue of their participation in a fishery.

10 \* **Sec. 2.** AS 39.52.120(c) is amended to read:

11 (c) In addition to other provisions of this section, a public officer who is a  
12 member of the [BOARD OF FISHERIES OR THE] Board of Game may not act on a  
13 matter before the board if the public officer has not disclosed in the manner set out in  
14 AS 39.52.220 all personal or financial interests in a business or organization relating

1 to [FISH OR] game resources.

2 \* **Sec. 3.** AS 39.52.120(c) is amended to read:

3 (c) In addition to other provisions of this section, a public officer who is a  
4 member of the **Board of Fisheries or the** Board of Game may not act on a matter  
5 before the board if the public officer has not disclosed in the manner set out in  
6 AS 39.52.220 all personal or financial interests in a business or organization relating  
7 to **fish or** game resources.

8 \* **Sec. 4.** AS 39.52.120 is amended by adding a new subsection to read:

9 (e) Notwithstanding any other provision of this chapter, a personal or financial  
10 interest in a matter does not disqualify a member of the Board of Fisheries from  
11 participating in matters before the board. Before participating, the member shall  
12 disclose the interest on the record. Disclosure under this subsection is not subject to  
13 AS 39.52.220. Participation in a matter before the board after disclosure is not  
14 considered to be a use of state facilities to benefit personal or financial interests under  
15 (b)(3) of this section. AS 39.52.240 does not apply to matters related to this  
16 subsection.

17 \* **Sec. 5.** AS 39.52.120(e) is repealed.

18 \* **Sec. 6.** Sections 1, 2, and 4 of this Act take effect immediately under AS 01.10.070(c).

19 \* **Sec. 7.** Sections 3 and 5 of this Act take effect June 30, 2009.