

HOUSE CS FOR CS FOR SENATE BILL NO. 69(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered: 5/4/04

Referred: Resources

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 allows members of
8 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 the matter before the board if the matter (1) directly involves activities
12 conducted under a permit or license issued under AS 16.05 or AS 16.43, or for sport
13 fish guiding, and (2) does not involve the personal or financial interests of a person the
14 member is paid to represent. Before participating, the member shall disclose the
15 interest on the record. Disclosure under this subsection is not subject to AS 39.52.220.
16 Participation in a matter before the board after disclosure is not considered to be a use
17 of state facilities to benefit personal or financial interests under (b)(3) of this section.
18 AS 39.52.240 does not apply to matters related to this subsection.

19 * **Sec. 5.** AS 39.52.120(e) is repealed.

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

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