

**SENATE BILL NO. 343**

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

BY SENATOR ELLIS

Introduced: 2/16/04

Referred: Resources, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act changing the name of the Board of Game to the Board of Wildlife and relating  
2 to the purposes and membership of the Board of Wildlife; and providing for an effective  
3 date."

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

5 \* **Section 1.** AS 16.05.221(b) is amended to read:

6 (b) For purposes of the multiple use, conservation, and development of all  
7 [THE] game resources of the state, there is created a Board of Wildlife [GAME]  
8 composed of nine [SEVEN] members appointed by the governor, subject to  
9 confirmation by a majority of the members of the legislature in joint session. The  
10 membership of the board, taken as a whole, shall directly reflect all of the  
11 citizens' various uses of game for sport and subsistence hunting, trapping,  
12 nonconsumptive uses, tourism, and scientific study in a comprehensive and fair  
13 manner. The governor shall appoint each member on the basis of [INTEREST IN  
14 PUBLIC AFFAIRS,] good judgment, interest in game, and predominant

1 **involvement with an aspect of game resources, to ensure that each of the specified**  
 2 **diverse interests is represented** [KNOWLEDGE, AND ABILITY IN THE FIELD  
 3 OF ACTION OF THE BOARD, AND WITH A VIEW TO PROVIDING  
 4 DIVERSITY OF INTEREST AND POINTS OF VIEW] in the membership. The  
 5 appointed members shall be residents of the state and shall be appointed without  
 6 regard to political affiliation or geographical location of residence. The commissioner  
 7 is not a member of the Board of **Wildlife** [GAME], but shall be ex officio secretary.

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

9 (c) Members of the Board of **Wildlife** [GAME] serve staggered terms of three  
 10 years and, except as provided in AS 39.05.080(4), each member serves until a  
 11 successor is appointed. An appointment to fill a vacancy in the membership of the  
 12 Board of **Wildlife** [GAME] shall be made in the same manner as the original  
 13 appointment and, except as provided in AS 39.05.080(4), an appointment to fill a  
 14 vacancy is for the balance of the unexpired term.

15 \* **Sec. 3.** AS 16.05.320 is amended to read:

16 **Sec. 16.05.320. Quorum.** A majority of the members of a board constitutes a  
 17 quorum for the transaction of business, for the performance of any duty, and for the  
 18 exercise of any power. However, a majority of the full board membership is required  
 19 to carry all motions, regulations, and resolutions. A majority of the members of the  
 20 boards of fisheries and **wildlife** [GAME] constitute a quorum for the transaction of  
 21 business in a joint board meeting. A majority of the membership of the boards is  
 22 required to carry all joint motions, regulations, and resolutions of the boards.

23 \* **Sec. 4.** AS 16.05.940(11) is amended to read:

24 (11) "domicile" means the true and permanent home of a person from  
 25 which the person has no present intention of moving and to which the person intends  
 26 to return whenever the person is away; domicile may be proved by presenting  
 27 evidence acceptable to the boards of fisheries and **wildlife** [GAME];

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

30 REGULATIONS. The Department of Fish and Game and the Board of Game may  
 31 proceed to adopt regulations to implement this Act. The regulations take effect under

1 AS 44.62 (Administrative Procedure Act) but not before the effective date of the  
2 corresponding enabling statute.

3 \* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to  
4 read:

5 INSTRUCTION REGARDING BOARD OF GAME. Wherever in the Alaska  
6 Statutes and the Alaska Administrative Code the term "Board of Game" is used it shall be  
7 read as "Board of Wildlife" when to do so would be consistent with the changes made by this  
8 Act.

9 \* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to  
10 read:

11 SPECIFIC INSTRUCTIONS TO REVISOR OF STATUTES CONCERNING  
12 SPECIFIC REFERENCES. (a) The revisor of statutes shall change references to "Board of  
13 Game" to read "Board of Wildlife" in the following statutes:

14 (1) AS 08.54.790(6);

15 (2) AS 16.05.050(b), 16.05.094, 16.05.255, 16.05.256, 16.05.258(a),  
16 16.05.260, 16.05.305, 16.05.315, 16.05.330(c), 16.05.340, 16.05.346(a), 16.05.405,  
17 16.05.408(a), 16.05.783, 16.05.930(d), 16.05.940;

18 (3) AS 16.20.033(f), 16.20.041(c), 16.20.080, 16.20.510, 16.20.610(c);

19 (4) AS 39.50.200(b)(41);

20 (5) AS 39.52.120(c);

21 (6) AS 41.21.022, 41.21.174(b), 41.21.176(c), 41.21.183(b), 41.21.187,  
22 41.21.188(c), 41.21.302(d), 41.21.492(b), 41.21.504(b), 41.21.616;

23 (7) AS 41.23.030(c), 41.23.110, 41.23.120(c), 41.23.160(c), 41.23.420(d);

24 (8) AS 41.99.010;

25 (9) AS 44.39.030, 44.39.050;

26 (10) AS 44.62.330(a)(41).

27 (b) The revisor of statutes shall change the reference to "game" to read "wildlife" in  
28 the catch line of AS 16.05.221.

29 (c) The revisor of statutes shall change the reference to "Board of Game" to read  
30 "Board of Wildlife" in the catch line of AS 16.05.255.

31 (d) The revisor of statutes shall change the reference to "game board" to read "Board

1 of Wildlife" in AS 16.05.780(b).

2 \* **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to  
3 read:

4 IMPLEMENTATION OF SECTIONS 6 and 7 OF THIS ACT. Under AS 01.05.031,  
5 the revisor of statutes shall implement secs. 6 and 7 of this Act in the Alaska Statutes, and,  
6 under AS 44.62.125(b)(6), the regulations attorney shall implement sec. 6 of this Act in the  
7 administrative code.

8 \* **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to  
9 read:

10 APPOINTMENT OF MEMBERS OF THE BOARD OF WILDLIFE. (a) The  
11 governor shall appoint two additional members to the Board of Wildlife to fill the two  
12 positions added to the board by sec. 1 of this Act. Subject to AS 39.05.080, the governor  
13 shall appoint one member to an initial term that expires March 1, 2007, and one member to an  
14 initial term that expires March 1, 2006.

15 (b) Each member of the Board of Game who is serving on the effective date of sec. 1  
16 of this Act shall continue to serve on the Board of Wildlife for the term to which the member  
17 was appointed, if the member has been confirmed by the legislature or is subject to  
18 confirmation by the legislature in accordance with AS 39.05.080.

19 \* **Sec. 10.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).

20 \* **Sec. 11.** Except as provided in sec. 10 of this Act, this Act takes effect July 1, 2004.