

CS FOR HOUSE BILL NO. 241(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered: 4/14/05

Referred: Resources

Sponsor(s): REPRESENTATIVE WILSON

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 is amended by adding a new subsection to read:

3 (f) Notwithstanding any other provision of this chapter, a personal or financial
4 interest in a matter does not disqualify a member of the Board of Fisheries from
5 participating in matters before the board. Before participating, the member shall
6 disclose the interest on the record. Disclosure under this subsection is not subject to
7 AS 39.52.220. Participation in a matter before the board after disclosure is not
8 considered to be a use of state facilities to benefit personal or financial interests under
9 (b)(3) of this section. Participation in a matter before the board after disclosure is not
10 considered to be taking or withholding official action in order to affect a matter in
11 which the public officer has a personal or financial interest under (b)(4) of this section.

12 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).