

CS FOR HOUSE BILL NO. 15(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered: 3/27/07

Referred: Resources

Sponsor(s): REPRESENTATIVES SEATON, Wilson, Edgmon

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 Board
7 of Fisheries to act as a lay board. To accomplish this goal, this Act allows members of the
8 board to deliberate on the issues that come before the board even though the members have a
9 personal or financial interest in the matter by virtue of their participation in a fishery, but does
10 not allow those members to vote on those issues.

11 * **Sec. 2.** AS 39.52.120 is amended by adding a new subsection to read:

12 (f) Notwithstanding any other provision of this chapter, a personal or financial
13 interest in a matter arising directly from involvement of the member of the Board of
14 Fisheries, or of the board member's immediate family, and conducted under a permit

1 or license issued under AS 16.05, AS 16.40.270, or AS 16.43 does not disqualify a
2 member of the Board of Fisheries from deliberating on a matter before the board.
3 Before deliberating, the member shall disclose the interest on the record. If a conflict
4 is determined to exist, the member may not vote on the issue. In this subsection,
5 "immediate family" has the meaning given in AS 24.60.990.

6 * **Sec. 3.** AS 39.52.120(f) is repealed.

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

9 REPORT AND RECOMMENDATIONS. The Department of Fish and Game shall
10 review AS 39.52.120(f), added by sec. 2 of this Act, and not later than January 31, 2011,
11 submit a report to the legislature that compares the effect of that subsection on the rate of
12 recusals by members of the Board of Fisheries in matters that have come before the board and
13 makes a recommendation regarding whether the effective date of the repeal of
14 AS 39.52.120(f), made by sec. 6 of this Act, should be extended.

15 * **Sec. 5.** Sections 1 and 2 of this Act take effect immediately under AS 01.10.070(c).

16 * **Sec. 6.** Section 3 of this Act takes effect June 30, 2011.