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IN THE HOUSE

BY THE JUDICIARY COMMITTEE

CS FOR HOUSE BILL NO. 78

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the powers of the Board, Commissioner, and Department of Fish and Game; amending Chs. 64 and 94, SLA 1959; and providing for an effective date."

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

Section 1. The first paragraph of Sec. 17, Ch. 64, SLA 1959, is amended to read:

Sec. 17. DEPARTMENT OF FISH AND GAME. There shall be a board at the head of the Department of Fish and Game to be known as the Board of Fish and Game. There shall be a principal executive officer of the Department of Fish and Game to be known as the Commissioner of Fish and Game.

Sec. 2. The third through eighth paragraphs of Sec. 17, Ch. 64, SLA 1959, are repealed.

Sec. 3. Sec. 4, Art. I, Ch. 94, SLA 1959, is amended to read:

Sec. 4. COMMISSIONER OF THE ALASKA DEPARTMENT OF FISH AND GAME. There shall be a principal executive officer of the Department to be known as the Commissioner of Fish and Game who shall be appointed by the Board of Fish and Game subject to the approval of the governor and confirmation by a majority of the members of the legislature in joint session. The Commissioner shall be a qualified executive with knowledge of the requirements for the protection,

1 management, conservation, and restoration of the fish and
2 game resources of Alaska. The Commissioner shall be appoint-
3 ed for a term of five years and serve at the pleasure of the
4 Board. Under the direction of the Board, he [HE] shall have
5 general supervision and control over the Department and may
6 appoint and employ division heads, enforcement agents, and
7 such technical, clerical, and other assistants as may be
8 necessary for the general administration of the Department.
9 Under the direction of the Board, he [HE] shall be charged
10 with the duty of managing, protecting, maintaining, improv-
11 ing, and extending the fish and game resources of Alaska in
12 the interest of the economy and general well-being of Alaska,
13 and, except as hereinafter provided, shall have all necessary
14 power to accomplish the foregoing including, but not limited
15 to, the power to delegate authority to subordinate officers
16 and employees of the Department.

17 The Commissioner shall not be a member of the Board of
18 Fish and Game, but shall be ex-officio secretary and have
19 the right to cast tie-breaking votes only.

20 Sec. 4. The third paragraph of Sec. 6, Art. I, Ch. 94, SLA
21 1959, is amended to read:

22 The Board of Fish and Game shall have rule-making
23 powers, and [AS HEREINAFTER PROVIDED, BUT SHALL NOT HAVE]
24 administrative, budgeting, and [OR] fiscal powers, and
25 those powers may be delegated to [AND SUCH ADMINISTRATIVE,
26 BUDGETING AND FISCAL POWERS SHALL RESIDE IN] the Commissioner
27 of Fish and Game. The Commissioner shall prepare the initial
28 departmental budget and submit it to the Board for its
29 review and approval before the Board transmits it to the

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governor for review and inclusion in the executive budget.

The Board may meet at any time on the call of the Commissioner or at the request of any two of the members.

Sec. 5. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.