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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."

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 The third through eighth paragraphs of Sec. 17, Ch. 64, SLA 1959, are repealed.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, management, conservation, and restoration of the fish and game resources

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

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

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

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

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