

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 SENATE BILL NO. 50

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Board of Fish and Game."

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

8 \* Section 1. AS 16.05.240 is amended to read:

9 Sec. 16.05.240. POWERS EXCLUDED. The board has rule-making  
10 powers as set forth in this chapter, but, except for sec. 295, does  
11 not have administrative, budgeting, or fiscal powers.

12 \* Sec. 2. AS 16.05 is amended by adding a new section to read:

13 Sec. 16.05.255. PUBLIC PROPOSALS FOR REGULATION CHANGES. (a)  
14 Every year the board shall consider public proposals for changes in  
15 regulations setting quotas and bag limits for fish and game and  
16 establishing open and closed seasons and areas for fish and game.

17 (b) Except in the case of an emergency as determined by the  
18 commissioner or his authorized designee, individual proposals by the  
19 public for changes in regulations other than those in (a) of this  
20 section which are recommended by an advisory committee, shall be  
21 considered by the board every other year.

22 (c) The board shall establish and publish the procedure governing  
23 the submission of proposals for regulation changes under (a) and (b)  
24 of this section.

25 (d) Nothing in this section limits the board from considering  
26 department staff proposals, based either on independent staff requests  
27 or on public proposals recommended by the staff, for changes in regula-  
28 tions at any time.

29 \* Sec. 3. AS 16.05.260 is amended to read:

1           Sec. 16.05.260. ADVISORY COMMITTEES. (a) The board shall [MAY]  
2 make rules and regulations it considers advisable in accordance with  
3 the Administrative Procedure Act (AS 44.62) establishing advisory  
4 committees, their membership, and their operating procedures [,] at  
5 places in the state designated by the board, [ADVISORY COMMITTEES] to  
6 be composed of persons well informed on the fish and game resources  
7 of the locality. Each advisory committee shall have in its membership  
8 representatives of all fish and game interests present in the locality.

9           (b) The board shall appoint the members of the advisory com-  
10 mittees from a list of nominations submitted by local organizations  
11 and individuals, set the number and terms of each of the members of  
12 the advisory committees, shall delegate one member of each committee  
13 as chairman, and shall give him authority to hold public hearings on  
14 fish and game regulations [MATTERS].

15           (c) An advisory committee shall consider each public proposal  
16 pertinent to its locality for a change in a regulation of the board  
17 and may, during the year specified in sec. 255(b) of this chapter,  
18 recommend the proposed change to the board for its consideration.  
19 A proposal for a change in a regulation arrived at by the advisory  
20 committee independently of a public proposal may [RECOMMENDATIONS FROM  
21 THE ADVISORY COMMITTEES SHALL] be forwarded at any time to the board  
22 for its consideration.

23           (d) The commissioner shall delegate authority to advisory com-  
24 mittees for emergency closures for conservation reasons during  
25 established seasons. The commissioner may countermand and make null  
26 and void for conservation reasons any closure [AUTHORITY DELEGATED OR  
27 ORDER] issued under this section. The board shall establish the neces-  
28 sary rules governing such closures.

29 \* Sec. 4. AS 16.05 is amended by adding a new section to read:

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Sec. 16.05.295. BOARD STAFF. The board shall employ and determine the compensation of an executive director and staff personnel necessary to assist in carrying out the duties imposed on the board by secs. 220 - 320 of this chapter. The board may employ an attorney, as required, to advise the board in connection with the handling of administrative regulations.