

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 at least 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:

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

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

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

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