

Introduced: 2/27/79  
Referred: Resources and  
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 304

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing Fish and Game Resource Regions,  
7 Local Fish and Game Committees, and Regional Fish and  
8 Game Councils; and providing for an effective date."

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

10 \* Section 1. INTENT. The legislature finds that the proper regulation,  
11 protection, and conservation of fish and wildlife and the continuation of  
12 the unique lifestyle of many rural and other Alaska residents require that  
13 an administrative structure be established for the purpose of enabling  
14 people with personal knowledge of local conditions and requirements to have  
15 a more meaningful role in the management of fish and wildlife in Alaska.

16 \* Sec. 2. AS 16.05 is amended by adding new sections to read:

17 Sec. 16.05.222. FISH AND GAME RESOURCE REGIONS. For the pur-  
18 poses of the conservation, management, and development of the fish and  
19 wildlife resources of the state, there are created six fish and game  
20 resource regions, the exact boundaries of which must be established by  
21 the Board of Fisheries and the Board of Game, acting jointly. The  
22 regions must encompass the following general areas:

23 (1) Southeast Alaska. The Southeast Alaska mainland and  
24 islands northward and westward from Dixon Entrance to Cape Suckling,  
25 and the adjacent coastal water seaward to the limit of the state's  
26 jurisdiction.

27 (2) Southcentral Alaska. The area drained by water flowing  
28 into the Gulf of Alaska, Prince William Sound, and Cook Inlet from  
29 Cape Suckling westward to Cape Douglas at the base of the Alaska

1 Peninsula, including all coastal islands north of Shuyak Island and  
2 the adjacent coastal water to the limit of the state's jurisdiction,  
3 and the area lying south of the rim of the Alaska Range and Wrangell  
4 Mountains.

5 (3) Southwest Alaska. The part of the Alaska Peninsula and  
6 adjacent mainland which drains into the Pacific Ocean and west side of  
7 Shelikof Strait from Cape Douglas to False Pass and into Bristol Bay  
8 from the King Salmon River drainage to False Pass; Shuyak, Afognak,  
9 Kodiak, Trinity, Chirikof, and Shumagin Islands, and all other adja-  
10 cent offshore islands; the Aleutian Islands and the Pribilof Islands;  
11 and the adjacent coastal water seaward to the limit of the state's  
12 jurisdiction.

13 (4) Western Alaska. The area northward and northwestward  
14 from the King Salmon River drainage, including all land drained by  
15 water flowing into Bristol Bay, the land within the boundaries of the  
16 Calista Regional Corporation, Nunivak and St. Matthew Islands, all  
17 other islands along the coast, and the adjacent coastal water seaward  
18 to the limit of the state's jurisdiction.

19 (5) Arctic Alaska. The land included within the boundaries  
20 of the Bering Straits and the Northwest Alaska Native Association  
21 Regional Corporations, the North Slope Borough, the islands of Little  
22 Diomede and St. Lawrence, other coastal islands, and the adjacent  
23 coastal water seaward to the limit of the state's jurisdiction.

24 (6) Interior Alaska. The land encompassing the drainages  
25 of the Yukon and Kuskokwim Rivers northward from the boundary of the  
26 Southcentral Region, eastward from the boundary of the Western Region,  
27 eastward and southward from the boundary of the Arctic Region, and  
28 extending to the United States-Canada border.

29 Sec. 16.05.223. LOCAL FISH AND GAME COMMITTEES. (a) The Board

1 of Fisheries and the Board of Game, acting jointly, in accordance with  
2 the Administrative Procedures Act (AS 44.62), shall divide each fish  
3 and game resource region into at least five subregions for the purpose  
4 of establishing a local fish and game committee within each subregion.  
5 Each subregion must consist of contiguous territory comprised insofar  
6 as possible of similar fish and wildlife habitats and similar socio-  
7 economic systems. In dividing a region into subregions, the boards  
8 shall consider the transportation and communication network between  
9 communities within the region.

10 (b) The boards shall establish a local fish and game committee  
11 within each subregion and set the number and terms of the members of  
12 those committees.

13 (c) The boards shall solicit nominations for membership on com-  
14 mittees from municipal governments, and other organizations and persons  
15 residing in the subregion. The boards shall appoint persons to each  
16 committee who are residents of the subregion represented by the com-  
17 mittee to which they are appointed and who they determine to have  
18 personal knowledge of the fish and wildlife resources and the local  
19 uses of those resources within the subregion. Each local committee  
20 must be comprised of a membership which, to the extent possible, is  
21 representative of the full range of user groups in that subregion.  
22 Each committee shall elect a chairman and vice-chairman.

23 (d) Each committee shall hold public meetings on fish and wild-  
24 life matters, review regulatory proposals, may make recommendations to  
25 its regional fish and game council, the Board of Fisheries, and the  
26 Board of Game, and may participate in the review and development of  
27 management plans for the conservation and use of fish and wildlife  
28 resources within its region. If a regional council, the Board of  
29 Fisheries, or the Board of Game chooses not to follow a committee recom-

1 mendation, that council or board shall inform the committee which made  
2 the recommendation of its reasons for not following the recommendation.

3 Sec. 16.05.224. REGIONAL FISH AND GAME COUNCILS. (a) The Board  
4 of Fisheries and the Board of Game, acting jointly, shall establish a  
5 regional fish and game council within each fish and game resource  
6 region, composed of the chairpersons of the local fish and game com-  
7 mittees within its region.

8 (b) The commissioner of the Department of Fish and Game, within  
9 the limits of legislative appropriations, shall assign adequate staff  
10 and distribute all relevant support data to the local fish and game  
11 committees and the regional fish and game councils.

12 (c) Each regional fish and game council may

13 (1) hold public meetings on fish and wildlife matters;

14 (2) review, make recommendations, and assist the department,  
15 in consultation with its local fish and game committees and appropriate  
16 federal agencies, in developing plans for the conservation, regulation,  
17 management, and use of the fish and wildlife resources within its  
18 region; if concerns for the fish and wildlife resources involve two or  
19 more regional councils, those councils shall participate jointly in  
20 the development of those plans;

21 (3) prepare recommendations for policies, standards,  
22 guidelines and regulations for submission to the Board of Fisheries  
23 and the Board of Game concerning the conservation, regulation, manage-  
24 ment, and use of the fish and wildlife resources within its region;  
25 and

26 (4) perform other duties which may be specified by the  
27 boards by regulation.

28 d) The regional fish and game councils may present recommenda-  
29 tions concerning the conservation, regulation, management, and use of

1 fish and wildlife resources within their respective regions, and the  
2 evidence upon which the recommendations are based, to the Board of  
3 Fisheries or Board of Game during the course of their administrative  
4 proceedings. The boards, individually or jointly, may choose not to  
5 follow any such recommendation which it is determined during the  
6 administrative proceedings is not supported by substantial evidence,  
7 violates recognized principles of fish and wildlife conservation, or  
8 would be inconsistent with the constitution or the laws of the State  
9 of Alaska or the United States.

10 (e) If two or more regional councils are unable to agree on  
11 recommendations involving fish and wildlife resources of mutual con-  
12 cern, the Board of Fisheries or the Board of Game, or both of them  
13 acting jointly, as appropriate, shall resolve the dispute in an equit-  
14 able manner, consistent with the preference for subsistence, and shall  
15 adopt regulations concerning the conservation, management, and use of  
16 those resources.

17 \* Sec. 4. IMPLEMENTATION. (a) In view of present state fiscal con-  
18 straints, the Board of Fisheries, Board of Game, and the department shall  
19 implement AS 16.05.223 and 16.05.224, enacted in sec. 2 of this Act, within  
20 the fish and game resource regions established by AS 16.05.222, also en-  
21 acted in sec. 2 of this Act, in accordance with the following schedule,  
22 measured from the effective date of this Act:

23 (1) no less than one region within one year;

24 (2) no less than three additional regions within two years;

25 and

26 (3) all regions within three years.

27 (b) During the implementation period stated in (a) of this  
28 section, all existing local advisory committees in other regions shall  
29 continue to function under the present regulations.

1 \* Sec. 5. CONSTRUCTION. If any provision of this Act is incompatible  
2 with AS 16.05.260, the provision of this Act governs.

3 \* Sec. 6. AS 16.05.260 is repealed.

4 \* Sec. 7. Sec. 6 of this Act takes effect three years after the effec-  
5 tive date of the remaining sections of this Act. The remaining sections of  
6 this Act take effect immediately in accordance with AS 01.10.070(c).

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29