

COMMITTEE REPORT

3/11/76

HOUSE

Mr. Speaker:

Date _____

The Committee on FINANCE has had HB 768

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

COMMITTEE REPORT

2/13/76

HOUSE

FINANCE

Mr. Speaker:

Date 2-9-76

The Committee on RESOURCES has had HB 768

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HB 768 AND THAT ^(new title) CS FOR HB 768 ~~be reported out with~~ ^{individual} ~~recommendations~~ be reported out with ~~the~~ ^{individual} recommendations

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

① {	<u>Nels H. Anderson</u>	Do Pass	_____
	<u>Leah E. Swanson</u>	Do Pass	_____
	<u>Alvin Osterbeck</u>	Do Pass	_____

Members NOT concurring in the Majority report:

②	<u>Arvo Evers</u>	recommends: No Rec.
	<u>Jim Huntington</u>	recommends: no Rec.
③	<u>Mike Hershberger</u>	recommends: Do Not Pass
④	<u>_____</u>	recommends: No Rec.
	<u>_____</u>	recommends: _____

Nels H. Anderson, Chairman

Original sponsor: Osterback

Offered: 3/11/76
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Board of Fisheries; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 16.05.221(a) is amended to read:

10 (a) For purposes of the conservation and development of the
11 fishery resources of the state, there is created the Board of Fisheries
12 composed of seven members appointed by the governor. The appointed
13 members shall be residents of the state and shall be appointed without
14 regard to political affiliation from the following general geographical
15 areas of the state: Southeastern Alaska including Yakutat, Prince
16 William Sound, Cook Inlet, Kodiak, Alaska Penninsula-Aleutian Islands,
17 Bristol Bay, and the Arctic-Yukon and Kuskokwim [OR GEOGRAPHICAL LOCA-
18 TION OF RESIDENCE]. The commissioner is not a member of the Board of
19 Fisheries, but shall be ex officio secretary.

20 * Sec. 2. Members serving on the Board of Fisheries on the effective date
21 of this Act shall continue to serve until their term expires. Upon the
22 expiration of a member's term a new member shall be appointed from a geo-
23 graphical area specified in sec. 1 of this Act so that equal geographical
24 representation is implemented in a continuing manner, and in no case may
25 unequal representation exist after July 1, 1978.

26 * Sec. 3. This Act takes effect June 30, 1976.
27
28
29

COMMITTEE COPY

1910
over
~~board~~

Introduced: 2/13/76
Referred: Resources and
Finance

1 IN THE HOUSE

BY OSTERBACK

2 HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Boards of Fisheries and Game;
7 and providing for an effective date."

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

9 * Section 1. AS 16.05.221 is amended to read:

10 Sec. 16.05.221. BOARDS OF FISHERIES AND GAME. (a) For purposes
11 of the conservation and development of the fishery resources of the
12 state, there is created the Board of Fisheries composed of seven members
13 appointed by the governor. The appointed members shall be residents of
14 the state and shall be appointed without regard to political affiliation
15 from the following general geographical areas of the state: South-
16 eastern Alaska including Yakutat, Prince William Sound, Cook Inlet,
17 Kodiak, Alaska Penninsula and Aleutian Islands, Bristol Bay, and the
18 Arctic, Yukon and Kuskokwim [OR GEOGRAPHICAL LOCATION OF RESIDENCE].
19 The commissioner is not a member of the Board of Fisheries, but shall be
20 ex officio secretary.

21 (b) For purposes of the conservation and development of the game
22 resources of the state, there is created the [A] Board of Game composed
23 of seven members appointed by the governor. The appointed members shall
24 be residents of the state, and shall be appointed without regard to
25 political affiliation from the following general geographical areas of
26 the state: Arctic, Northwestern Alaska, Yukon, Southwestern Alaska,
27 Southcentral Alaska, and Southeastern Alaska [OR GEOGRAPHICAL LOCATION
28 OF RESIDENCE]. The commissioner is not a member of the Board of Game,
29 but shall be ex officio secretary.

* Sec. 2. This Act takes effect July 1, 1976.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

HB 768

STATE OF ALASKA
STATE CAPITOL
FAIRBANKS, ALASKA 99701
907-465-3800

MEMORANDUM

February 11, 1976

SUBJECT: Fish and Game Boards (W.O. #1910)

TO: The Honorable Alvin Osterback

FROM: James Owers, Research Analyst
Joel Bennet, Staff Attorney

Several bills were introduced last session relating to the composition of the Board of Fish and Game. The Bill numbers and their status are as follows:

HB 117 - Would create two seven member boards, one for fish and one for game. The Bill is presently in House Resources.

SB 131 - Would create two seven member boards, one for fish and one for game. This is essentially the same as HB 117 with a few changes. The Bill was passed and became law in 1975. (206 SLA 75)

HB 470 - Would increase the membership of Board of Fish and Game from 12 to 13 members. This Bill is presently in House Finance.

SB 193 - Would provide for a "section 26" board similar to the board of education. The seven member Board would be responsible for hiring and firing the Commissioner of Fish and Game and would take a more active administrative role. The Bill is in Senate Resources.

Under the present law members of either the Board of Fisheries or Board of Game "shall be residents of the State and shall be appointed without regard to political affiliation or geographical location of residence."

It is doubtful whether it would be legal to elect the members of the board of fisheries or game. This conclusion is based on the following facts:

- (1) The Alaska Constitution provides that "each principle department shall be under the supervision of the governor."

(Section 24, Article III, Alaska State Constitution). Thus, even though Section 26 does not apply to the present Board of Fisheries or Game, it is clear that the constitution intended the executive power of government to be vested in the governor.

- (2) From an examination of the proceedings of the Alaska constitutional convention it would appear that the idea of an elected rule making board within the executive branch was never considered. Nevertheless, it is very clear that the majority of delegates to the constitutional convention wanted only two elected officials in the executive branch of State government. There were repeated amendments to create more elected offices. All were defeated.
- (3) Of the 88 commissions, advisory councils, Boards and public corporations in the executive branch, only one rule making board provides for an electoral procedure in selecting members. This is the Public Employees Retirement Board. Three members are appointed by the governor and two members are elected by members of the retirement system.

Nevertheless, while it does not appear feasible to elect members to the Board of Fisheries or Board of Game from electoral districts, there is ample precedent for requiring the governor to make selections to the Boards from either certain occupational group or geographical areas.

The attached Draft Bill would require that members to the Boards of Fisheries or Game be selected according to major hunting and fishing areas.

JO:cw

ATTACHMENT

ALASKA STATE LEGISLATURE

NINTH Legislature SECOND Session

HOUSE ... BILL ... NO. 768 ...

By ... OSTERBACK ...

"An Act relating to the Boards of Fisheries and Game; and providing for an effective date."

Board of Fisheries and Game

Introduced in the House ... 2/13, 19.76

HISTORY IN THE HOUSE

19 76	Read first time and referred to Committee on Resources and Finance												
Feb 13	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by Speaker Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by President Returned to House												
SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
	Chapter No.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
 Second Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 768
 Title: An Act Relating to the Boards of Fisheries and Game
 Requested by: Jim Rhode Date: 2/18/76
 Return Date Requested: 2/25/76
 Agency: Fish and Game Program: NRMEC

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Administration and Support
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumes no significant increase or decrease in costs as a result of board members being selected from designated areas.

IV. ATTACHMENTS

V. DATE: 2/19/76 PREPARED BY: Dean Paddock *Dean Paddock*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
 Second Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 768
 Title: An Act Relating to the Boards of Fisheries and Game
 Requested by: Jim Rhode Date: 2/18/76
 Return Date Requested: 2/25/76
 Agency: Fish and Game Program: NRMEC

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Administration and Support

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumes no significant increase or decrease in costs as a result of board members being selected from designated areas.

IV. ATTACHMENTS

V. DATE: 2/19/76 PREPARED BY: Dean Paddock *Dean Paddock*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 768
 Title: An Act Relating to the Boards of Fisheries and Game
 Requested by: Jim Rhode Date: 2/18/76
 Return Date Requested: 2/25/76
 Agency: Fish and Game Program: NRMEC

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Administration and Support

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumes no significant increase or decrease in costs as a result of board members being selected from designated areas.

IV. ATTACHMENTS

V. DATE: 2/19/76 PREPARED BY: Dean Paddock *Dean Paddock*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 768
 Title: An Act Relating to the Boards of Fisheries and Game
 Requested by: Jim Rhode Date: 2/18/76
 Return Date Requested: 2/25/76
 Agency: Fish and Game Program: HRMEC

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Administration and Support

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Assumes no significant increase or decrease in costs as a result of board members being selected from designated areas.

IV. ATTACHMENTS

V. DATE: 2/19/76 PREPARED BY: Dean Paddock

Dean Paddock

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

HB 768

POUCH Y - STATE CAPITAL
JUNEAU, ALASKA 998
907-465 3800

MEMORANDUM

February 11, 1976

SUBJECT: Fish and Game Boards (W.O. #1910)

TO: The Honorable Alvin Osterback

FROM: James Owers, Research Analyst
Joel Bennet, Staff Attorney

Several bills were introduced last session relating to the composition of the Board of Fish and Game. The Bill numbers and their status are as follows:

HB 117 - Would create two seven member boards, one for fish and one for game. The Bill is presently in House Resources.

SB 131 - Would create two seven member boards, one for fish and one for game. This is essentially the same as HB 117 with a few changes. The Bill was passed and became law in 1975. (206 SLA 75)

HB 470 - Would increase the membership of Board of Fish and Game from 12 to 13 members. This Bill is presently in House Finance.

SB 193 - Would provide for a "section 26" board similar to the board of education. The seven member Board would be responsible for hiring and firing the Commissioner of Fish and Game and would take a more active administrative role. The Bill is in Senate Resources.

Under the present law members of either the Board of Fisheries or Board of Game "shall be residents of the State and shall be appointed without regard to political affiliation or geographical location of residence."

It is doubtful whether it would be legal to elect the members of the board of fisheries or game. This conclusion is based on the following facts:

- (1) The Alaska Constitution provides that "each principle department shall be under the supervision of the governor."

(Section 24, Article III, Alaska State Constitution). Thus, even though Section 26 does not apply to the present Board of Fisheries or Game, it is clear that the constitution intended the executive power of government to be vested in the governor.

- (2) From an examination of the proceedings of the Alaska constitutional convention it would appear that the idea of an elected rule making board within the executive branch was never considered. Nevertheless, it is very clear that the majority of delegates to the constitutional convention wanted only two elected officials in the executive branch of State government. There were repeated amendments to create more elected offices. All were defeated.
- (3) Of the 88 commissions, advisory councils, Boards and public corporations in the executive branch, only one rule making board provides for an electoral procedure in selecting members. This is the Public Employees Retirement Board. Three members are appointed by the governor and two members are elected by members of the retirement system.

Nevertheless, while it does not appear feasible to elect members to the Board of Fisheries or Board of Game from electoral districts, there is ample precedent for requiring the governor to make selections to the Boards from either certain occupational groups or geographical areas.

The attached Draft Bill would require that members to the Boards of Fisheries or Game be selected according to major hunting and fishing areas.

JO:cw

ATTACHMENT

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

HB 768

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM

February 11, 1976

SUBJECT: Fish and Game Boards (W.O. #1910)

TO: The Honorable Alvin Osterback

FROM: James Owers, Research Analyst
Joel Bennet, Staff Attorney

Several bills were introduced last session relating to the composition of the Board of Fish and Game. The Bill numbers and their status are as follows:

HB 117 - Would create two seven member boards, one for fish and one for game. The Bill is presently in House Resources.

SB 131 - Would create two seven member boards, one for fish and one for game. This is essentially the same as HB 117 with a few changes. The Bill was passed and became law in 1975. (206 SLA 75)

HB 470 - Would increase the membership of Board of Fish and Game from 12 to 13 members. This Bill is presently in House Finance.

SB 193 - Would provide for a "section 26" board similar to the board of education. The seven member Board would be responsible for hiring and firing the Commissioner of Fish and Game and would take a more active administrative role. The Bill is in Senate Resources.

Under the present law members of either the Board of Fisheries or Board of Game "shall be residents of the State and shall be appointed without regard to political affiliation or geographical location of residence."

It is doubtful whether it would be legal to elect the members of the board of fisheries or game. This conclusion is based on the following facts:

- (1) The Alaska Constitution provides that "each principle department shall be under the supervision of the governor."

(Section 24, Article III, Alaska State Constitution). Thus, even though Section 26 does not apply to the present Board of Fisheries or Game, it is clear that the constitution intended the executive power of government to be vested in the governor.

- (2) From an examination of the proceedings of the Alaska constitutional convention it would appear that the idea of an elected rule making board within the executive branch was never considered. Nevertheless, it is very clear that the majority of delegates to the constitutional convention wanted only two elected officials in the executive branch of State government. There were repeated amendments to create more elected offices. All were defeated.
- (3) Of the 88 commissions, advisory councils, Boards and public corporations in the executive branch, only one rule making board provides for an electoral procedure in selecting members. This is the Public Employees Retirement Board. Three members are appointed by the governor and two members are elected by members of the retirement system.

Nevertheless, while it does not appear feasible to elect members to the Board of Fisheries or Board of Game from electoral districts, there is ample precedent for requiring the governor to make selections to the Boards from either certain occupational groups or geographical areas.

The attached Draft Bill would require that members to the Boards of Fisheries or Game be selected according to major hunting and fishing areas.

JO:cw

ATTACHMENT

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

HB 768

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3600

MEMORANDUM

February 11, 1976

SUBJECT: Fish and Game Boards (W.O. #1910)

TO: The Honorable Alvin Osterback

FROM: James Owers¹ Joel Bennet
Research Analyst Staff Attorney

Several bills were introduced last session relating to the composition of the Board of Fish and Game. The Bill numbers and their status are as follows:

HB 117 - Would create two seven member boards, one for fish and one for game. The Bill is presently in House Resources.

SB 131 - Would create two seven member boards, one for fish and one for game. This is essentially the same as HB 117 with a few changes. The Bill was passed and became law in 1975. (206 SLA 75)

HB 470 - Would increase the membership of Board of Fish and Game from 12 to 13 members. This Bill is presently in House Finance.

SB 193 - Would provide for a "section 26" board similar to the board of education. The seven member Board would be responsible for hiring and firing the Commissioner of Fish and Game and would take a more active administrative role. The Bill is in Senate Resources.

Under the present law members of either the Board of Fisheries or Board of Game "shall be residents of the State and shall be appointed without regard to political affiliation or geographical location of residence."

It is doubtful whether it would be legal to elect the members of the board of fisheries or game. This conclusion is based on the following facts:

- (1) The Alaska Constitution provides that "each principle department shall be under the supervision of the governor."

(Section 24, Article III, Alaska State Constitution). Thus, even though Section 26 does not apply to the present Board of Fisheries or Game, it is clear that the constitution intended the executive power of government to be vested in the governor.

- (2) From an examination of the proceedings of the Alaska constitutional convention it would appear that the idea of an elected rule making board within the executive branch was never considered. Nevertheless, it is very clear that the majority of delegates to the constitutional convention wanted only two elected officials in the executive branch of State government. There were repeated amendments to create more elected offices. All were defeated.
- (3) Of the 88 commissions, advisory councils, Boards and public corporations in the executive branch, only one rule making board provides for an electoral procedure in selecting members. This is the Public Employees Retirement Board. Three members are appointed by the governor and two members are elected by members of the retirement system.

Nevertheless, while it does not appear feasible to elect members to the Board of Fisheries or Board of Game from electoral districts, there is ample precedent for requiring the governor to make selections to the Boards from either certain occupational groups or geographical areas.

The attached Draft Bill would require that members to the Boards of Fisheries or Game be selected according to major hunting and fishing areas.

JO:cw

ATTACHMENT

Original sponsor: Osterback

Offered: 3/11/76
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Board of Fisheries; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 16.05.221(a) is amended to read:

10 (a) For purposes of the conservation and development of the
11 fishery resources of the state, there is created the Board of Fisheries
12 composed of seven members appointed by the governor. The appointed
13 members shall be residents of the state and shall be appointed without
14 regard to political affiliation from the following general geographical
15 areas of the state: Southeastern Alaska including Yakutat, Prince
16 William Sound, Cook Inlet, Kodiak, Alaska Peninsula-Aleutian Islands,
17 Bristol Bay, and the Arctic-Yukon and Kuskokwim [OR GEOGRAPHICAL LOCA-
18 TION OF RESIDENCE]. The commissioner is not a member of the Board of
19 Fisheries, but shall be ex officio secretary.

20 * Sec. 2. Members serving on the Board of Fisheries on the effective date
21 of this Act shall continue to serve until their term expires. Upon the
22 expiration of a member's term a new member shall be appointed from a geo-
23 graphical area specified in sec. 1 of this Act so that equal geographical
24 representation is implemented in a continuing manner, and in no case may
25 unequal representation exist after July 1, 1978.

26 * Sec. 3. This Act takes effect June 30, 1976.
27
28
29

#

Original sponsor: Osterback

Offered: 3/11/76
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Board of Fisheries; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 16.05.221(a) is amended to read:

10 (a) For purposes of the conservation and development of the
11 fishery resources of the state, there is created the Board of Fisheries
12 composed of seven members appointed by the governor. The appointed
13 members shall be residents of the state and shall be appointed without
14 regard to political affiliation from the following general geographical
15 areas of the state: Southeastern Alaska including Yakutat, Prince
16 William Sound, Cook Inlet, Kodiak, Alaska Peninsula-Aleutian Islands,
17 Bristol Bay, and the Arctic-Yukon and Kuskokwim [OR GEOGRAPHICAL LOCA-
18 TION OF RESIDENCE]. The commissioner is not a member of the Board of
19 Fisheries, but shall be ex officio secretary.

20 * Sec. 2. Members serving on the Board of Fisheries on the effective date
21 of this Act shall continue to serve until their term expires. Upon the
22 expiration of a member's term a new member shall be appointed from a geo-
23 graphical area specified in sec. 1 of this Act so that equal geographical
24 representation is implemented in a continuing manner, and in no case may
25 unequal representation exist after July 1, 1978.

26 * Sec. 3. This Act takes effect June 30, 1976.
27
28
29

//

Original sponsor: Osterback

Offered: 3/11/76
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Board of Fisheries; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 16.05.221(a) is amended to read:

10 (a) For purposes of the conservation and development of the
11 fishery resources of the state, there is created the Board of Fisheries
12 composed of seven members appointed by the governor. The appointed
13 members shall be residents of the state and shall be appointed without
14 regard to political affiliation from the following general geographical
15 areas of the state: Southeastern Alaska including Yakutat, Prince
16 William Sound, Cook Inlet, Kodiak, Alaska Peninsula-Aleutian Islands,
17 Bristol Bay, and the Arctic-Yukon and Kuskokwim [OR GEOGRAPHICAL LOCA-
18 TION OF RESIDENCE]. The commissioner is not a member of the Board of
19 Fisheries, but shall be ex officio secretary.

20 * Sec. 2. Members serving on the Board of Fisheries on the effective date
21 of this Act shall continue to serve until their term expires. Upon the
22 expiration of a member's term a new member shall be appointed from a geo-
23 graphical area specified in sec. 1 of this Act so that equal geographical
24 representation is implemented in a continuing manner, and in no case may
25 unequal representation exist after July 1, 1978.

26 * Sec. 3. This Act takes effect June 30, 1976.
27
28
29

#

Original sponsor: Osterback

Offered: 3/11/76
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Board of Fisheries; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 16.05.221(a) is amended to read:

10 (a) For purposes of the conservation and development of the
11 fishery resources of the state, there is created the Board of Fisheries
12 composed of seven members appointed by the governor. The appointed
13 members shall be residents of the state and shall be appointed without
14 regard to political affiliation from the following general geographical
15 areas of the state: Southeastern Alaska including Yakutat, Prince
16 William Sound, Cook Inlet, Kodiak, Alaska Peninsula-Aleutian Islands,
17 Bristol Bay, and the Arctic-Yukon and Kuskokwim [OR GEOGRAPHICAL LOCA-
18 TION OF RESIDENCE]. The commissioner is not a member of the Board of
19 Fisheries, but shall be ex officio secretary.

20 * Sec. 2. Members serving on the Board of Fisheries on the effective date
21 of this Act shall continue to serve until their term expires. Upon the
22 expiration of a member's term a new member shall be appointed from a geo-
23 graphical area specified in sec. 1 of this Act so that equal geographical
24 representation is implemented in a continuing manner, and in no case may
25 unequal representation exist after July 1, 1978.

26 * Sec. 3. This Act takes effect June 30, 1978.

27
28
29 #

Introduced: 2/13/76
Referred: Resources and
Finance

1 IN THE HOUSE

BY OSTERBACK

2 HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Boards of Fisheries and Gams;
7 and providing for an effective date."

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

9 * Section 1. AS 16.05.221 is amended to read:

10 Sec. 16.05.221. BOARDS OF FISHERIES AND GAME. (a) For purposes
11 of the conservation and development of the fishery resources of the
12 state, there is created the Board of Fisheries composed of seven members
13 appointed by the governor. The appointed members shall be residents of
14 the state and shall be appointed without regard to political affiliation
15 from the following general geographical areas of the state: South-
16 eastern Alaska including Yakutat, Prince William Sound, Cook Inlet,
17 Kodiak, Alaska Penninsula and Aleutian Islands, Bristol Bay, and the
18 Arctic, Yukon and Kuskokwim [OR GEOGRAPHICAL LOCATION OF RESIDENCE].
19 The commissioner is not a member of the Board of Fisheries, but shall be
20 ex officio secretary.

21 (b) For purposes of the conservation and development of the game
22 resources of the state, there is created the [A] Board of Game composed
23 of seven members appointed by the governor. The appointed members shall
24 be residents of the state, and shall be appointed without regard to
25 political affiliation from the following general geographical areas of
26 the state: Arctic, Northwestern Alaska, Yukon, Southwestern Alaska,
27 Southcentral Alaska, and Southeastern Alaska [OR GEOGRAPHICAL LOCATION
28 OF RESIDENCE]. The commissioner is not a member of the Board of Game,
29 but shall be ex officio secretary.

Introduced: 2/13/76
Referred: Resources and
Finance

1 IN THE HOUSE

BY OSTERBACK

2 HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Boards of Fisheries and Game;
7 and providing for an effective date."

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

9 * Section 1. AS 16.05.221 is amended to read:

10 Sec. 16.05.221. BOARDS OF FISHERIES AND GAME. (a) For purposes
11 of the conservation and development of the fishery resources of the
12 state, there is created the Board of Fisheries composed of seven members
13 appointed by the governor. The appointed members shall be residents of
14 the state and shall be appointed without regard to political affiliation
15 from the following general geographical areas of the state: South-
16 eastern Alaska including Yakutat, Prince William Sound, Cook Inlet,
17 Kodiak, Alaska Peninsula and Aleutian Islands, Bristol Bay, and the
18 Arctic, Yukon and Kuskokwim [OR GEOGRAPHICAL LOCATION OF RESIDENCE].
19 The commissioner is not a member of the Board of Fisheries, but shall be
20 ex officio secretary.

21 (b) For purposes of the conservation and development of the game
22 resources of the state, there is created the [A] Board of Game composed
23 of seven members appointed by the governor. The appointed members shall
24 be residents of the state, and shall be appointed without regard to
25 political affiliation from the following general geographical areas of
26 the state: Arctic, Northwestern Alaska, Yukon, Southwestern Alaska,
27 Southcentral Alaska, and Southeastern Alaska [OR GEOGRAPHICAL LOCATION
28 OF RESIDENCE]. The commissioner is not a member of the Board of Game,
29 but shall be ex officio secretary.

Introduced: 2/13/76
Referred: Resources and
Finance

1 IN THE HOUSE

BY OSTERBACK

2 HOUSE BILL NO. 768

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Boards of Fisheries and Game;
7 and providing for an effective date."

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

9 * Section 1. AS 16.05.221 is amended to read:

10 Sec. 16.05.221. BOARDS OF FISHERIES AND GAME. (a) For purposes
11 of the conservation and development of the fishery resources of the
12 state, there is created the Board of Fisheries composed of seven members
13 appointed by the governor. The appointed members shall be residents of
14 the state and shall be appointed without regard to political affiliation
15 from the following general geographical areas of the state: South-
16 eastern Alaska including Yakutat, Prince William Sound, Cook Inlet,
17 Kodiak, Alaska Peninsula and Aleutian Islands, Bristol Bay, and the
18 Arctic, Yukon and Kuskokwim [OR GEOGRAPHICAL LOCATION OF RESIDENCE].
19 The commissioner is not a member of the Board of Fisheries, but shall be
20 ex officio secretary.

21 (b) For purposes of the conservation and development of the game
22 resources of the state, there is created the [A] Board of Game composed
23 of seven members appointed by the governor. The appointed members shall
24 be residents of the state, and shall be appointed without regard to
25 political affiliation from the following general geographical areas of
26 the state: Arctic, Northwestern Alaska, Yukon, Southwestern Alaska,
27 Southcentral Alaska, and Southeastern Alaska [OR GEOGRAPHICAL LOCATION
28 OF RESIDENCE]. The commissioner is not a member of the Board of Game,
29 but shall be ex officio secretary.

Introduced: 2/13/76
Referred: Resources and
Finance

1 IN THE HOUSE

BY OSTERBACK

2 HOUSE BILL NO. 766

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Boards of Fisheries and Game;
7 and providing for an effective date."

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

9 * Section 1. AS 16.05.221 is amended to read:

10 Sec. 16.05.221. BOARDS OF FISHERIES AND GAME. (a) For purposes
11 of the conservation and development of the fishery resources of the
12 state, there is created the Board of Fisheries composed of seven members
13 appointed by the governor. The appointed members shall be residents of
14 the state and shall be appointed without regard to political affiliation
15 from the following general geographical areas of the state: South-
16 eastern Alaska including Yakutat, Prince William Sound, Cook Inlet,
17 Kodiak, Alaska Peninsula and Aleutian Islands, Bristol Bay, and the
18 Arctic, Yukon and Kuskokwim [OR GEOGRAPHICAL LOCATION OF RESIDENCE].
19 The commissioner is not a member of the Board of Fisheries, but shall be
20 ex officio secretary.

21 (b) For purposes of the conservation and development of the game
22 resources of the state, there is created the [A] Board of Game composed
23 of seven members appointed by the governor. The appointed members shall
24 be residents of the state, and shall be appointed without regard to
25 political affiliation from the following general geographical areas of
26 the state: Arctic, Northwestern Alaska, Yukon, Southwestern Alaska,
27 Southcentral Alaska, and Southeastern Alaska [OR GEOGRAPHICAL LOCATION
28 OF RESIDENCE]. The commissioner is not a member of the Board of Game,
29 but shall be ex officio secretary.