

Submitted by the Alaska Department of Fish and Game by the request of the Joint Board

October 16, 2013

**Substitute Language for Proposal 17**

5 AAC 96.060(b) is amended to read:

**5 AAC 96.060. Uniform rules of operation.**

(b) **Organization.** Each committee is organized under AS 16.05.260 [AND IS ADMINISTERED BY THE JOINT BOARD].

5 AAC 96.060(n) is amended to read:

(n) **Removal for Cause.** The joint board will, in its discretion, remove any member of a committee for cause upon the written request of the majority of all members serving on the committee setting out the reasons for the requested removal. As used in this subsection, “cause” includes

- (1) unjustifiable absence from three consecutive meetings;
- (2) conviction of a crime or imposition of an administrative disciplinary action for behavior inconsistent with the responsibility of a fish and game advisory committee [OR COUNCIL] membership within the preceding five years;

(3) **serious and substantial** disregard for or violation of the provisions of 5 AAC 96 or 5 AAC 97 governing the committee and council system, **including conduct warranting the imposition of disciplinary measures under Robert's Rules of Order**; or

(4) failure, at any time, to meet the qualifications for committee membership.

5 AAC 96.060(r) is amended to read:

(r) **Rules of Meetings.** Meetings of a committee **will, to the extent practicable,** [MUST] be conducted according to the latest edition of Robert's Rules of Order. **A committee has the authority to implement the disciplinary measures in Robert's Rules of Order, except for permanent removal of a member for cause under (n) of this section.**

5 AAC 96.060(s) is amended to read:

(s) **Record of Meetings.** Preliminary **recommendations** [MINUTES] of each committee meeting **shall** [MUST] be recorded in writing and forwarded to the **boards support section of the department within 30 days** [DIRECTOR OF THE DIVISION OF BOARDS WITHIN THREE WEEKS] after the meeting. Before an advisory committee chair or a designee will be allowed to represent the advisory committee before the joint board, the Board of Fisheries, or the Board of Game, **the appropriate board may require that** the advisory committee [MUST] submit to the respective board a set of its **minutes relevant to the topic of the board meeting**

[RELEVANT MINUTES]. (In effect before 1983; am 10/9/83, Register 88; am 9/22/85, Register 95; am 11/30/89, Register 112; am 9/26/90, Register 115; am 7/12/98, Register 147)

5 AAC 96.660 is amended to read:

**5 AAC 96.660. Compliance.** **(a)** The failure of a committee, council, or a board to observe procedures set out in 5 AAC 96 – 5 AAC 97, except as may be required by the Administrative Procedure Act (AS 44.62), does not invalidate a regulation adopted by a board.

**(b) The failure of a committee to observe procedures set out in this chapter will be addressed by the boards support section of the department. If the boards support section determines that it is necessary for a particular matter to be addressed by a board or joint board, the boards support section will forward that particular matter to the applicable board or the joint board for resolution.** (In effect before 1983; am 10/9/83, Register 88)