

PROPOSAL XXX – 5 AAC 92.005. Policy for changing board agenda. Modify the Board of Game agenda change request policy.

5 AAC 92.005. Policy for changing board agenda. (a) The Board of Game (board) may change the board's schedule for considering proposed regulatory changes in response to an agenda change request, submitted on a form provided by the board, in accordance with the following guidelines:

(1) an agenda change request **must be** to consider a proposed regulatory change outside the board's published schedule **and** must specify the change proposed and the reason the proposed change should be considered out of sequence **An agenda change request is not intended to address proposals that could have been submitted by the deadline scheduled for submitting proposals.**

(2) the board will accept an agenda change request only (A) for a conservation purpose or reason; (B) to correct an error in a regulation; or (C) to correct an effect on a hunt that was unforeseen when a regulation was adopted;

(3) the board will not accept an agenda change request that is predominantly allocative in nature in the absence of new information that is found by the board to be compelling;

(4) a request must be **received by** [SENT TO] the executive director of the boards support section at least 60 days before **the first regularly scheduled meeting of that year** [A SCHEDULED MEETING UNLESS THE BOARD ALLOWS AN EXCEPTION TO THE DEADLINE BECAUSE OF AN EMERGENCY];

(5) **if one or more agenda change requests have been timely submitted, the board shall meet to review the requests within 30 days following the submittal deadline in subsection (4), and may meet telephonically for this purpose**[THE EXECUTIVE DIRECTOR SHALL ATTEMPT TO OBTAIN COMMENTS ON THE REQUEST FROM AS MANY BOARD MEMBERS AS CAN BE CONTACTED; IF A MAJORITY OF THE BOARD MEMBERS CONTACTED APPROVE THE REQUEST, THE EXECUTIVE DIRECTOR SHALL NOTIFY THE PUBLIC AND THE DEPARTMENT OF THE AGENDA CHANGE AND WHEN THE BOARD WILL CONSIDER THE PROPOSED REGULATORY CHANGE REQUESTED].

(b) The board may change the board's schedule for consideration of proposed regulatory changes as reasonably necessary for coordination of state regulatory actions with federal agencies, programs, or laws.

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY? These changes are to amend 5 AAC 92.005 to allow the board the flexibility to address regulatory matters out-of-cycle when warranted. Consideration of an agenda change request needs to occur within the requirements of the Open Meetings Act, and any decision to add an item to a

scheduled agenda must consider the need to provide sufficient notice to the public and an opportunity for the public to provide comments. The flexibility of the board to allow an agenda change request should not be used as a means to submit a proposal for a scheduled meeting after the deadline established for submitting in-cycle proposals. The change to a single date for submitting an ACR for any meeting scheduled for that year is needed to reflect that in certain years there may be only one meeting, and is consistent with procedures adopted by the Board of Fisheries.

PROPOSED BY: Alaska Board of Game

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