

**PROPOSAL 12**

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

Clarify the provision that advisory committees may not reject a nomination for an undesignated seat when membership is less than the number of members authorized, as follows:

**5 AAC 96.060(g)(2) is amended to read:...**

**(g)(2) Nomination.** The committee may set a time period during which the committee will accept nominations and shall give adequate public notice of the time before accepting nominations. Any committee member or resident of the area served by the committee as defined in 5 AAC 96.910(10) may submit a nomination. A committee may not reject a nomination for an undesignated seat [UNDER 5 AAC 96.021(c)] if committee membership is less than the number of members authorized by the joint board.

**What is the issue you would like the board to address and why?** In the AC election rules there is a provision that says a committee may not refuse nominations for specific undesignated seats when there are available seats. This prevents an interested and qualified person from being barred from service for arbitrary reasons.

This proposal supports this intent but clarifies the provision applies to all “undesignated seats” including single community ACs that are not specified under 96.021(c).

This topic was modified by the Joint Board in 2019 and was intended to exclude Joint Board community-designated seats under 96.021(c). At that time, the department comments to the Joint Board erred by recommending an amendment to the proposal to apply the provision only to undesignated seats under 5 AAC 96.021(c), which inadvertently excluded all other undesignated seats for ACs. Prior to the regulation change in 2019, the provision applied to all AC seats including undesignated and community-designated seats. This proposal makes it clear that ACs may not refuse nominations for all undesignated and single-community seats, and not community-designated seats.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F23-006)  
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