

SENATE CS FOR CS FOR HOUSE BILL NO. 54(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 4/22/22

Referred: Finance

Sponsor(s): HOUSE SPECIAL COMMITTEE ON FISHERIES

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing the Alaska Invasive Species Council in the Department of Fish and**
2 **Game; relating to management of invasive species; relating to invasive species**
3 **management decals; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 LEGISLATIVE INTENT. It is the intent of the legislature that the Department of Fish
8 and Game support the activities of the Alaska Invasive Species Council, established by this
9 Act, through contributions, grants, and other forms of funding that do not involve the use of
10 money from the state's general fund.

11 * **Sec. 2.** AS 16.20 is amended by adding new sections to read:

12 **Article 6. Management of Invasive Species.**

13 **Sec. 16.20.800. Invasive species management decals.** The department shall
14 annually produce and make available to the public invasive species management

1 decals. The department shall, in conjunction with the Alaska Invasive Species
2 Council, provide for the selection of designs for invasive species management decals
3 and for the production and sale of the decals. The department may produce and sell
4 different decals in quantities that the commissioner and council consider appropriate.
5 Upon payment of a fee established by the department in regulation, a person may
6 purchase an invasive species management decal from the department. The legislature
7 may appropriate the annual estimated balance in the account maintained by the
8 commissioner of administration under AS 37.05.142 to the department to carry out the
9 purposes of this section or to the invasive species response fund established under
10 AS 16.20.820.

11 **Sec. 16.20.810. Alaska Invasive Species Council.** (a) The Alaska Invasive
12 Species Council is an advisory council established in the department to facilitate
13 efforts by the department, the Department of Natural Resources, the Department of
14 Environmental Conservation, the Department of Transportation and Public Facilities,
15 and other natural resource-related governmental entities operating in the state to
16 manage invasive species in the state by

17 (1) facilitating cooperation between state, federal, tribal, and local
18 agencies and nongovernmental organizations;

19 (2) assisting in coordination of activities to manage invasive species,
20 including those undertaken by local governments and nongovernmental organizations;

21 (3) recommending coordinated interagency strategies and policies
22 related to management of invasive species, including

23 (A) importation, possession, and use of invasive species;

24 (B) classification and listing of non-native species; and

25 (C) management of pathways associated with transfer of
26 invasive species;

27 (4) upon a state agency's request, providing guidance as to how to
28 prioritize the state agency's responses to occurrences of invasive species and how
29 funds made available under AS 16.20.820 may be best used;

30 (5) recommending expenditures from the invasive species response
31 fund;

1 (6) providing technical information and assistance to persons engaged
2 in regional and national invasive species management efforts;

3 (7) selecting designers for invasive species management decals and
4 approving and promoting the designs;

5 (8) recommending the fee amount for the purchase of an invasive
6 species management decal sold by the department under AS 16.20.800.

7 (b) Except as provided in (c) of this section, the council consists of

8 (1) the following members appointed by the governor to three-year
9 terms:

10 (A) a representative of a soil and water conservation district
11 established under AS 41.10.130;

12 (B) a person engaged in commercial agriculture, horticulture,
13 or landscaping;

14 (C) a person engaged in commercial aquaculture or
15 mariculture;

16 (D) a representative of a commercial fishing organization;

17 (E) a representative of a sport fishing organization;

18 (F) a representative of an Alaska tribal entity;

19 (G) a representative of an Alaska Native corporation;

20 (H) a person engaged in the tourism industry;

21 (I) a person who owns a seaplane, is employed as a seaplane
22 pilot, or is otherwise knowledgeable about seaplanes;

23 (J) a representative of an organization formed to combat the
24 spread of invasive species in the state;

25 (K) a person involved in the forest products industry;

26 (L) a person engaged in commercial excavation work,
27 construction, mining, or the oil and gas industry;

28 (M) a person who has worked for or participated in a state
29 program to prevent the spread of invasive plants;

30 (N) a member or representative of the Alaska Municipal
31 League;

1 (O) a person engaged in management, research, or education
2 activities relating to invasive species;

3 (P) a person engaged in the shipping industry;

4 (Q) a representative of a utility knowledgeable about utility
5 corridors;

6 (2) a representative from each of the following federal agencies,
7 serving ex officio, if the agency elects to participate:

8 (A) the Department of the Interior;

9 (B) the Department of Commerce;

10 (C) the Department of Agriculture;

11 (D) the Department of Homeland Security;

12 (E) the Department of Defense;

13 (3) two members of the house of representatives appointed by the
14 speaker of the house of representatives, including one member of the minority
15 organizational caucus;

16 (4) two members of the senate appointed by the president of the senate,
17 including one member of the minority organizational caucus;

18 (5) the commissioner of each of the following departments or the
19 commissioner's designee, serving ex officio:

20 (A) the Department of Fish and Game;

21 (B) the Department of Natural Resources;

22 (C) the Department of Environmental Conservation;

23 (D) the Department of Transportation and Public Facilities; and

24 (6) the chairperson of the board of directors of the Alaska Railroad
25 Corporation or the chairperson's designee.

26 (c) The council may, as the council finds necessary, invite additional persons
27 to be nonvoting advisory members of the council. The council may prescribe
28 procedures for the participation of persons added to the council under this subsection.

29 (d) The council shall adopt bylaws to govern its operation. The bylaws must
30 provide procedures for

31 (1) decision making; and

1 (2) establishing subcommittees and advisory committees.

2 (e) The governor shall appoint the chair of the council from among the
3 members appointed under (b)(5) of this section. The council shall meet at least once
4 each year, at the call of the chair. A majority of the council constitutes a quorum.
5 Meetings and council votes may be held by audio or video teleconference.

6 (f) Members of the council serve without compensation and are not entitled to
7 per diem and travel expenses. However, a member appointed under (b)(5) of this
8 section is entitled to per diem and travel expenses as a state employee.

9 (g) By January 15 of each odd-numbered year, the council shall prepare and
10 present to the legislature an updated five-year strategic plan that addresses the
11 economic effects of invasive species, states the council's suggested priorities for
12 addressing invasive species, and recommends legislation and funding required to
13 implement the council's priorities. The council shall transmit the plan to the senate
14 secretary and the chief clerk of the house of representatives and notify the legislature
15 that the strategic plan is available.

16 (h) Council members appointed under (b)(1) of this section serve staggered
17 three-year terms and until a successor is appointed. A vacancy on the council shall be
18 filled in the same manner as the original appointment. If a vacancy occurs, the
19 governor shall appoint a member for the unexpired portion of the term within 60 days
20 after the occurrence of the vacancy.

21 **Sec. 16.20.820. Invasive species response fund.** The invasive species
22 response fund is established as an account in the general fund. The fund consists of
23 appropriations made to the fund. Money appropriated to the fund does not lapse. The
24 department may use money appropriated to the fund to manage invasive species,
25 without further appropriation.

26 **Sec. 16.20.850. Definitions.** In AS 16.20.800 - 16.20.850,

27 (1) "commissioner" means the commissioner of fish and game;

28 (2) "council" means the Alaska Invasive Species Council;

29 (3) "department" means the Department of Fish and Game;

30 (4) "invasive species" means a non-native species the introduction of
31 which causes or is likely to cause economic harm, environmental harm, or harm to

1 human health;

2 (5) "manage invasive species" means to take actions to prevent or
3 minimize harmful impacts of invasive species on the economy, the environment,
4 public health, infrastructure, and cultural heritage;

5 (6) "non-native species" includes any biological material capable of
6 propagating a species that is not native to the state or an ecosystem in the state.

7 * **Sec. 3.** AS 37.05.146(c) is amended by adding a new paragraph to read:

8 (80) fees collected for invasive species management decals by the
9 Department of Fish and Game under AS 16.20.800.

10 * **Sec. 4.** AS 16.20.800, 16.20.810, 16.20.820, 16.20.850, and AS 37.05.146(c)(80) are
11 repealed July 1, 2029.

12 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
13 read:

14 APPOINTMENT OF MEMBERS AND CHAIR AND TIMING AND NUMBER OF
15 MEETINGS REQUIRED IN INITIAL YEAR. (a) Notwithstanding AS 16.20.810(h), added
16 by sec. 2 of this Act, the governor shall appoint the initial members of the Alaska Invasive
17 Species Council required under AS 16.20.810(b)(1) within 60 days after the effective date of
18 this Act. The governor shall appoint the members to staggered terms as follows:

19 (1) six members shall be appointed to serve three years;

20 (2) six members shall be appointed to serve two years; and

21 (3) five members shall be appointed to serve one year.

22 (b) Notwithstanding AS 16.20.810(e), added by sec. 2 of this Act, the Alaska Invasive
23 Species Council shall

24 (1) hold its first meeting within 90 days after the appointment of members
25 under (a) of this section; and

26 (2) meet at least four times in the 12 months following the appointment of
27 members under (a) of this section.

28 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).