

PROPOSAL 13

5 AAC 96.060. Uniform rules of operation.

Clarify the process for declaring vacancies and filling expired seats as follows:

5 AAC 96.060 (f) and (g) are amended to read:

(f) **Terms of Members.** Each committee shall establish terms of the committee's members so that not more than one-third of the committee members' terms expire in one calendar year. Terms commence on July 1 and expire on June 30 of the year designated or, except as specified in (g)(1) of this section, until a successor has been duly elected at the next committee meeting[.] **, or for community designated seats under 96.021(c), at an election within 12 months following the expiration of the term.** The maximum length of a term is three years.

(g) Election Procedures.

(1) **Vacancy.** A committee shall give at least 14 days public notice of a meeting for an election to fill [A VACANCY] **vacant and expired seats. An election for a community designated seat under 96.021(c) shall also have 14 days public notice.** The member elected to fill a vacant seat serves the remainder of the vacant seat's term. A chair **or boards support section when the chair is unable, shall** [MAY] declare a vacancy when [A MEMBER'S TERM, IS SET TO EXPIRE OR HAS EXPIRED] any of the following occurs:

(A) a member's death, resignation, or refusal to accept election;

(B) **any** member's absence from three consecutive regularly advertised meetings without reasonable justification, as determined by a majority vote of the committee; [OR]

(C) a member's removal by the joint board for cause;

(D) a member's term is set to expire or has expired; or

(E) for community designated seats under 96.021(c), if an election has not occurred 12 months following the expiration of the term.

What is the issue you would like the board to address and why? Current regulation allows AC members to continue serving until a successor can be duly elected at the next committee meeting. Boards Support Section has interpreted this regulation so that a member with an expired term can continue to serve until the next AC meeting at which an election can be held, or in the case of community designated seats under 96.021(c), whenever a community with an expired seat can hold an election. This practice has resulted in some AC members continuing to serve several years after a term has expired. The regulations also allow a chair to declare a vacancy for expired seats, however, some AC chairs prefer not to do so for community designated seats.

This proposal suggests a time limitation of one year after a community designated seat expires, for communities to hold elections to fill expired seats. Once that one-year time period has passed, the new regulation clarifies the chair, or the Boards Support Section shall declare the seat vacant. Adding Boards Support Section to the vacancy procedures is proposed because there are occasions when the chair is unable to declare a vacancy.

PROPOSED BY: Alaska Department of Fish and Game

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