

## **Alaska Trollers Association**

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February 6, 2017

Representative Louise Stutes, Chair  
House Fisheries  
Alaska House of Representatives  
State Capitol (Mail Stop 3100)  
Juneau AK 99801-1182

Dear Representative Stutes and Committee Members:

The **Alaska Trollers Association supports HB 87**, which seeks to allow Board of Fisheries (BOF) members to act on all matters before the Board, so long as they divulge their personal or financial interests and no significant conflict exists. In the event a majority of the other BOF members determine there is a conflict, the bill would still allow the BOF member to deliberate, but not vote.

Allowing BOF members to share information about the issues they know best is a crucial part of the lay board process and should be permitted. In years past, BOF members fully participated in all discussions and nearly all votes. Board members used a recusal process similar to the North Pacific Fishery Management Council and were rarely found to have a true conflict that would be expected to compromise their vote. Individuals sometimes abstained from voting voluntarily.

When the state's ethics rules were tightened, the BOF modified its process to the point that extremely capable Board members are sometimes restricted from voting - or even speaking - on the very issues they are most knowledgeable about. The BOF chairman is the ultimate arbiter and some have denied voting privileges on a proposal simply because another member's brother or aunt participated in the fishery, whether or not their financial interests were intertwined. ATA believes this is damaging to the decision-making process and acts as a deterrent for well-qualified people to volunteer their time and energy to this regulatory body. Why serve on such a board if you aren't allowed to share knowledge and perspective on that which you are most familiar? And why invest sole responsibility in the BOF chairman to rule on when and how another member can participate?

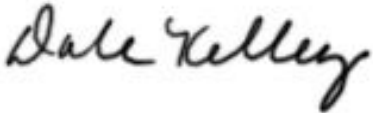
The BOF considers hundreds of proposals each year and individuals are confronted with only a handful of initiatives that directly impact their own fishery; most of which would have little to no effect on the value of their personal operation. For example, over 1,000 trollers land fish each year, so a BOF member who happens to troll would share the benefit (or penalty) of any action with about 999 other permit holders and their deckhands. Obviously our fleet is quite large, but most Alaska fisheries involve hundreds of participants and the impact of any BOF action is still spread amongst many people. In those rare cases where this isn't true, allowing all of the other BOF members to determine the level of conflict will help ensure an ethical voting process, while still allowing the board and public to benefit from the member's expertise.

The strength of the BOF is directly related to the caliber of its members and the quality of science, law, and policy that underpin its actions. **Providing a recusal process; narrowing conflict of interest criteria to a board member and his/her immediate family and only when there is financial reliance; allowing members to participate in all deliberations; and, permitting them to vote in all but the most extraordinary cases just makes good sense.**

ATA believes the voting mandate that serves the state legislature also serves its regulatory boards. An exceptional group of fishermen have served on the BOF over the years. When they are fully enabled to act, the resource, industry, and communities can benefit from their collective knowledge. **We encourage you to vote in support of HB 87 – let all members of the Board of Fisheries speak to the issues and vote!**

If I can be of assistance on this or other matters, feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Dale Kelley". The signature is written in black ink and is positioned below the word "Sincerely,".

Dale Kelley  
Executive Director