

**ALASKA STATE LEGISLATURE  
SENATE RESOURCES STANDING COMMITTEE**

March 11, 2008

5:37 p.m.

**MEMBERS PRESENT**

Senator Charlie Huggins, Chair  
Senator Lyda Green  
Senator Gary Stevens  
Senator Bill Wielechowski  
Senator Thomas Wagoner  
Senator Lesil McGuire

**MEMBERS ABSENT**

Senator Bert Stedman, Vice Chair

**COMMITTEE CALENDAR**

CS FOR HOUSE BILL NO. 267(RES)

"An Act relating to authorizing the state to join with other states entering into the Wildlife Violator Compact; excluding commercial fishing and big game commercial hunting services from the provisions of the compact; and directing the initiation of civil actions to revoke appropriate licenses in this state based on a licensee's violation of or failure to comply with the terms of a wildlife resource citation issued in another state that is a party to the compact."

HEARD AND HELD

SENATE BILL NO. 284

"An Act relating to the membership of the Board of Fisheries; and providing for an effective date."

HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 267

SHORT TITLE: WILDLIFE VIOLATOR COMPACT

SPONSOR(S): REPRESENTATIVE(S) JOHNSON

01/04/08	(H)	PREFILE RELEASED 1/4/08
01/15/08	(H)	READ THE FIRST TIME - REFERRALS
01/15/08	(H)	RES, FIN
01/18/08	(H)	RES AT 1:00 PM BARNES 124
01/18/08	(H)	Heard & Held

01/18/08 (H) MINUTE(RES)  
 01/28/08 (H) RES AT 1:00 PM BARNES 124  
 01/28/08 (H) Heard & Held  
 01/28/08 (H) MINUTE(RES)  
 02/06/08 (H) RES AT 1:00 PM BARNES 124  
 02/06/08 (H) Moved CSHB 267(RES) Out of Committee  
 02/06/08 (H) MINUTE(RES)  
 02/08/08 (H) RES RPT CS(RES) NT 4DP 2NR 1AM  
 02/08/08 (H) DP: SEATON, FAIRCLOUGH, GATTO, JOHNSON  
 02/08/08 (H) NR: GUTTENBERG, EDGMON  
 02/08/08 (H) AM: KAWASAKI  
 02/19/08 (H) FIN AT 1:30 PM HOUSE FINANCE 519  
 02/19/08 (H) Moved CSHB 267(RES) Out of Committee  
 02/19/08 (H) MINUTE(FIN)  
 02/20/08 (H) FIN RPT CS(RES) NT 8DP 1NR  
 02/20/08 (H) DP: KELLY, CRAWFORD, STOLTZE, HAWKER,  
 NELSON, THOMAS, MEYER, CHENAULT  
 02/20/08 (H) NR: GARA  
 03/03/08 (H) TRANSMITTED TO (S)  
 03/03/08 (H) VERSION: CSHB 267(RES)  
 03/04/08 (S) READ THE FIRST TIME - REFERRALS  
 03/04/08 (S) RES  
 03/10/08 (S) RES AT 3:30 PM BUTROVICH 205  
 03/10/08 (S) Heard & Held  
 03/10/08 (S) MINUTE(RES)  
 03/11/08 (S) RES AT 5:30 PM BUTROVICH 205

BILL: SB 284

SHORT TITLE: BOARD OF FISHERIES: MEMBERSHIP

SPONSOR(s): SENATOR(s) GREEN

02/19/08 (S) READ THE FIRST TIME - REFERRALS  
 02/19/08 (S) RES, FIN  
 03/11/08 (S) RES AT 5:30 PM BUTROVICH 205

**WITNESS REGISTER**

CAPTAIN BURKE WALDRON  
 Division of Wildlife Troopers  
 Department of Public Safety (DPS)  
 Anchorage, AK

**POSITION STATEMENT:** Answered questions on HB 267.

KEVIN SAXBY, Senior Assistant Attorney General  
 Department of Law (DOL)  
 Anchorage, AK

**POSITION STATEMENT:** Answered questions on HB 267.

JEANNE OSTNES

Staff to Representative Craig Johnson  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Commented on HB 267 for the sponsor.

JANEY WINEINGER

Staff to Senator Green  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Commented on CSSB 284(RES) version V for the sponsor.

VIRGIL UMPHENOUR, Chairman

Fairbanks Fish and Game Advisory Committee  
North Pole, AK

**POSITION STATEMENT:** Supported CSSB 284(RES) version V.

MIKE FENTON, President

Kenai Professional Guide Association  
Sterling, AK

**POSITION STATEMENT:** Supported SB 284.

ANDY COUCH, member

Matanuska Fish and Game Advisory Committee  
Wasilla, AK

**POSITION STATEMENT:** Supported SB 284.

WES HUMBYRD, representing himself

Homer, AK

**POSITION STATEMENT:** Opposed SB 284.

BOB PENNY

Cook Inlet Sport Fishing Association  
Soldotna, AK

**POSITION STATEMENT:** Supported SB 284.

MIKE TINKER, representing himself

Fairbanks, AK

**POSITION STATEMENT:** Supported CSSB 284(RES) version V.

MONTE ROBERTS, representing himself

Soldotna, AK

**POSITION STATEMENT:** Supported SB 284.

JOHN MCCOMBS, representing himself

Cook Inlet Area

**POSITION STATEMENT:** Opposed SB 284.

BEAVER NELSON, representing himself  
Homer, AK

**POSITION STATEMENT:** Opposed SB 284.

BRUCE KNOWLES, representing himself  
Willow, AK

**POSITION STATEMENT:** Supported SB 284.

RICKY GEASE, Executive Director  
Kenai River Sportfishing Association  
Kenai, AK

**POSITION STATEMENT:** Supported SB 284.

DAVID MARTIN, Chairman  
Central Peninsula Advisory Committee  
Clam Gulch, AK

**POSITION STATEMENT:** Opposed SB 284.

HAL HUME, representing himself,  
Fairbanks, AK

**POSITION STATEMENT:** Supported SB 284

MARVIN PETERS, representing himself  
Homer, AK

**POSITION STATEMENT:** Opposed SB 284.

TOM PAYTON, Chairman  
Mt. Enlos Fish and Game Advisory Committee  
Squintna, AK

**POSITION STATEMENT:** Supported SB 284.

REUBEN HANKE  
Kenai Sportfishing Association  
Kenai, AK

**POSITION STATEMENT:** Supported SB 284.

HOWARD DELO  
Board of Fisheries  
Mat-Su Area

**POSITION STATEMENT:** Opposed SB 284.

RON RAINEY, representing himself  
Kenai, AK

**POSITION STATEMENT:** Supported SB 284.

DENNIS HAMANN, Chairman  
Mat-Su Fish and Game Advisory Committee  
Mat-Su Area

**POSITION STATEMENT:** Supported SB 284.

BEN ELLIS, representing himself  
Anchorage, AK

**POSITION STATEMENT:** Supported SB 284.

DAN LEWIS, representing himself  
Wasilla, AK

**POSITION STATEMENT:** Supported SB 284.

#### **ACTION NARRATIVE**

**CHAIR CHARLIE HUGGINS** called the Senate Resources Standing Committee meeting to order at [5:37:08 PM](#). Present at the call to order were Senators Green, Wagoner, Wielechowski and Huggins.

#### **CSHB 267(RES)-WILDLIFE VIOLATOR COMPACT**

[5:37:31 PM](#)

CHAIR CHARLIE HUGGINS announced CSHB 267(RES) to be up for consideration.

CAPTAIN BURKE WALDRON, Division of Wildlife Troopers, Department of Public Safety (DPS), said he was available to answer questions on HB 267.

KEVIN SAXBY, Senior Assistant Attorney General, Department of Law (DOL), stated that he was assigned to the Division of Wildlife Conservation and the Board of Game.

[5:40:07 PM](#)

SENATOR STEVENS joined the committee.

JEANNE OSTNES, staff to Representative Craig Johnson, sponsor of HB 267, related that yesterday they talked about the form that the DPS would be entering data into. She said the trooper would need a user name and an ID to get onto the website. She said a compact state could ratify or review different suspensions or actions that were happening in the other compact states. The report could be browsed through by either violator or citation.

Besides the 50 states, the compact includes 18 provinces from Canada, Guam, the Virgin Islands and Puerto Rico; it includes

1,834 counties along with 239 countries. So no matter where the person is living in the world, there is a way to identify where they are and what action was taken against them. She said the software is smart enough that the state can choose specifically how it can look at the different animal species.

CHAIR HUGGINS interrupted, "Let's look at frogs."

MS. OSTNES responded that frogs were included in the fishing category. She said each state could add to the list and assign them on the left.

CHAIR HUGGINS asked how the identities of people with like-names would be confirmed.

MS. OSTNES replied by using home address, eye color, race gender, and suspension status.

[5:43:55 PM](#)

SENATOR WAGONER asked if counties are a sub-grouping under each state.

MS. OSTNES replied she wasn't sure because all states have their own system.

SENATOR WAGONER said the reason he asked is that traditionally counties outside of Alaska offer hunting and fishing licenses, and they are only good within the boundary of the counties - and there are a lot of counties.

MS. OSTNES said that taking violator's names completely out of the database would be a policy matter for the 28 states that are involved, but not doing that was recommended to help with things such as legal proceedings after the fact, trend analysis and tracking habitual violators. Names of people who do not have their license revoked any longer because "they have paid their dues" stay in another section of the database.

CHAIR HUGGINS asked the lower age limit for entry into the system.

MS. OSTNES replied the adult age of the state the person resides in.

[5:46:16 PM](#)

SENATOR MCGUIRE joined the committee.

CHAIR HUGGINS turned to Mr. Saxby with that question.

MR. SAXBY answered that age isn't addressed in the bill, so it would follow that that issue would be up to each state, and people under age 16 don't need a license in Alaska.

MS. OSTNES said that VISA and Master Card as well as other credit card businesses can be hired to do a spot check of the system.

CHAIR HUGGINS asked if this is a certified system.

MS. OSTNES answered yes and added that only a public safety administrator would have the ability to get into it to change the information. She said that ADF&G received some funding last year to computerize its licensing system, and 35 of its largest vendors as well as all of their departments around the state will soon be computerized. Once this bill passes, the administrator would be the person to deal with the process of how and who would be able to look at the information.

[5:49:50 PM](#)

CHAIR HUGGINS asked for a quick review of how this system would work for the State Troopers.

CAPTAIN WALDRON replied that the DPS would administer the compact simply because the Troopers are the licensing enforcement agency and it would be simpler for them rather than to have the Alaska Department of Fish and Game (ADF&G) forward the information to them. One person would review court judgments relating to fish and wildlife cases and make the determination on whether to enter the individual into the compact database or not. Once those decisions are made, an in-house clerk would be assigned to update the list. Initial start-up may require more effort than once it is going. In most states the administrator and clerk spend between 10-20 hours a month to update the list. Historically Alaska doesn't have a lot of revocations and would have less than 200 names to enter per year.

SENATOR MCGUIRE asked how expungement would work.

CAPTAIN WALDRON answered that peoples' names would remain in the database and their revocations would be listed as current or not. They remain in the database unless the member states adopted language to change it.

MS. OSTNES said that was correct.

CHAIR HUGGINS said that is probably unacceptable for him. The average Alaskan would expect to be off the list once they have lost their license.

SENATOR MCGUIRE agreed and remarked that even Senator Green's similar prescription database bill was changed to allow a name to come off the list after a period of time. She said that is a real privacy invasion and asked if there was anything they could do in this bill to guarantee expungement after someone has served their penalty.

MS. OSTNES replied that she thought so.

SENATOR WIELECHOWSKI said he understood once a license was revoked for three-years, one could get it again. He thought this was different than the prescription database bill in which everyone was included, including people who hadn't been convicted of anything. Expungement is appropriate in that case. He didn't see this bill being different from a criminal court case; it's a public record once you've violated the statute.

CAPTAIN WALDRON said he agreed with that; the purpose for names remaining in the database is to provide a criminal history database for court convictions and sentencing that is similar to other databases. Troopers and prosecutors could use this database to help with sentencing recommendations and guidelines at court hearings.

MS. OSTNES said you can find whether someone had a small claim against them by just looking at the court house computer.

SENATOR WAGONER said he wasn't sure that the court house records span another 28 states.

[5:58:14 PM](#)

CAPTAIN WALDRON said the court system database is Internet based and is available to anyone in any state.

[5:59:15 PM](#)

CHAIR HUGGINS said he would set HB 267 aside.

[5:59:21 PM](#) at ease [6:02:22 PM](#)

**SB 284-BOARD OF FISHERIES: MEMBERSHIP**

[6:02:25 PM](#)

CHAIR CHARLIE HUGGINS announced SB 284 to be up for consideration.

SENATOR GREEN moved to bring CSSB 284(RES), version V, before the committee. There were no objections and it was so ordered.

JANEY WINEINGER, staff to Senator Green, sponsor of SB 284, said Senator Green introduced this legislation because she saw a lack of fair and balanced representation on the Board of Fisheries. She said a letter of support from the board was in their packets. The letter said that of all 122 boards and commissions, only four "are as lax as the Board of Fisheries;" one is the Board of Game.

She stated that AS 16.05.221 says that board members are appointed by the governor and confirmed by the legislature. Members are appointed on the basis of interest in public affairs, good judgment, knowledge and ability in the field of action of the board with a view to providing diversity of interest and points of view in the membership. A lot of boards base membership on geographical requirements along with certifications, economic requirements or political affiliations. This is not so for the Board of Fisheries.

The changes in the CS will bring the Board of Fisheries membership back down to seven members from the nine in the original bill and creates a guideline based on the user groups. The proposed board would have two members who represent commercial fishing interests who do not hold and do not have an immediate family member who holds a sport fishing operator or sport fishing guide license; three members who represent personal use or subsistence fishing interests and who do not hold and do not have an immediate family member who holds a commercial fishing permit or crew member permit; a sport fishing operator license or a sport fishing guide license, or who do not own or have an immediate family member who owns a commercial fish processing business; two members who represent sport fishing interests and who do not hold and do not have an immediate family member who holds a commercial fishing permit or crew member permit and do not own or have an immediate family member who owns a commercial processing business.

She stated that this makeup would guarantee fair and balanced representation on the Board of Fisheries for years to come regardless of who may be governor or who may be in a political leadership position at the Department of Fish and Game.

6:07:14 PM

SENATOR WIELECHOWSKI asked why this CS has a fiscal note.

MS. WINEINGER answered the original legislation increased the number of board members to nine; now it's back to what the board is now, seven members.

CHAIR HUGGINS asked if there would be a robust pool of Alaskans available to pick members from in light of all the exclusions.

MS. WINEINGER answered yes.

SENATOR GREEN remarked that in all practicality, representation has an unwritten tendency to say there is a Sitka seat, a Kodiak seat and a Juneau sports fish seat. They are labeled and geographical identified, but it's not definitive. It would be better to have more defining descriptors.

MS. WINEINGER added that language doesn't change the makeup of the board; it just puts it in statute.

CHAIR HUGGINS said this language doesn't preclude a geographical connotation, but gives some prerequisites for the person's or his family's background.

SENATOR WIELECHOWSKI asked what the current composition of the board is in terms of sport, subsistence and commercial.

MS. WINEINGER replied currently the members come from diverse groups geographically; for instance the Juneau, Kodiak, and Sitka seats.

6:11:00 PM

SENATOR STEVENS commented that for many years there was no Kodiak seat and they always wanted one, and it happened in time.

SENATOR WAGONER explained that now it isn't a matter of eligibility; it's a matter of whether a member can deliberate and vote on certain items or not.

CHAIR HUGGINS said they would want to tighten that language on members being precluded from voting or from being a member. They don't want people to continue being conflicted out.

6:12:37 PM

VIRGIL UMPHENOUR, Chairman, Fairbanks Fish and Game Advisory Committee, North Pole, supported CSSB 284(RES) version V. He

said he served eight years on the Board of Fisheries and felt that the CS would provide more balance and fairness in the board's composition. The Yukon River has serious conservation problems now, basically because of allocation, he said, and the current board is manipulated by the department.

SENATOR STEVENS asked how things broke down over the years between commercial, sport and personal use in his experience.

MR. UMPHENOUR replied that it depended on the issue and what region the board was in. Some regions spend more time on sport fish issues than commercial. Subsistence and personal use take a back seat a majority of the time and have very little representation.

[6:17:14 PM](#)

MIKE FENTON, President, Kenai Professional Guide Association, Sterling, supported SB 284. He said it builds in the potential for a greater representation of the user groups. The current arrangement allows too much bias to occur.

ANDY COUCH, representing himself, Mat-Su, said he is a sport fishing guide and a member of the Matanuska Fish and Game Advisory Committee; He supported SB 284 saying that the board has not addressed the state's conservation issues and changing the makeup of the board to include more user groups like personal use and subsistence, would help.

[6:20:03 PM](#)

WES HUMBYRD, representing himself, Homer, said he had been a commercial fisherman in Cook Inlet since 1966 and opposed SB 284. He said it looks like another way for commercial fishermen to manage politically instead of biologically. If politicians used the same amount of energy on removing the problems in the Mat-Su drainage, they wouldn't be here discussing this bill.

He related that Mat-Su used to have 32 lakes with pike in them and now it's up to 162, and there are numerous beavers dams on all the streams in that area that stop the migration of salmon destined to the spawning grounds. Also, he said the escapement counters the department uses are not accurate.

MR. HUMBYRD said Cook Inlet fishermen had not had a commercial fisherman on the board since 1975. He suggested removing the pike and the beavers before asking everyone to be "curtailed" to solve the problem. "Don't make the commercial fishermen again and again be the sacrificial lamb for sport fish interests in

the Valley and the Kenai area." The real balance on the board should be three sport, three commercial and one personal use person. Maybe a good suggestion would be to have commercial fishing on pike.

CHAIR HUGGINS asked if he would support a buy back system for permits.

MR. HUMBYRD answered no; that just eliminates people who have been fishing for years.

[6:22:59 PM](#)

BOB PENNY, Cook Inlet Sport Fishing, Soldotna, said he supported SB 284. He said his first concern was conservation and second, the unfair allocation for the harvest of salmon in Cook Inlet. He served on the North Pacific Fisheries Council for one term and he learned that conservation comes first. Whenever the stocks get low, stop fishing, he exhorted. When that run is gone it's gone. He said the Board of Fisheries didn't take the steps necessary to protect the species and something has to be done to protect those fish.

[6:25:18 PM](#)

MIKE TINKER, representing himself, Fairbanks, said that previous fish boards have come up with the sustainable salmon management policy, for example. But in the last five years, the board has been a disaster for any non-commercial user. The members avoid their own policies and disrespect the opinions of those opposed to commercial fishery interests, especially the advisory committees. "Definitely missing is an Alaska use attitude." The board did the right thing in the Cook Inlet meeting by finding chum and sockeye as stocks of concern, but then they did absolutely nothing to change the intercept fisheries. He supported CSSB 284 version V.

[6:26:44 PM](#)

MONTE ROBERTS, sport fish guide operator, Soldotna, supported SB 284, but he still had some concerns about the board's makeup. He was fine with the two designated commercial fishing seats, but the three personal use/subsistence members concerned him. He was concerned that in two places people with sport fishing experience were excluded from holding a seat, and at no place were they guaranteed a seat at the table.

[6:28:17 PM](#)

JOHN MCCOMBS, drift gillnet fisherman, Cook Inlet, opposed SB 284. He said the board has already failed to address emerging

fisheries in fully allocated limited entry fisheries and considerations by gear type aren't going to be the answer.

SENATOR GREEN asked him if he had any recommendations for how to distinguish membership on the board if not by gear type or geographic locations.

MR. MCCOMBS replied you need a professional board with trained scientists. Maybe it needs to be taken out of the political realm and put in back into the hands of scientists.

6:30:26 PM

BEAVER NELSON, representing himself, Homer, said he is a commercial, sport and personal use fisherman. He said the present system has members with varied interests and is working pretty well. This legislation would turn the board into hard core members and would limit the pool of qualified candidates. He stated, "It just narrows things down into special interest groups again."

6:31:06 PM

BRUCE KNOWLES, representing himself, Willow, said he has served on the Valley Fish and Game Advisory Committee for about 12 years and supported SB 284. He said the suggestion for the makeup of the original board was to have it all commercial fishermen, but that didn't go over, so the qualifications were changed to what they have today. The only progress the board has made was during the 90s when it was made up of all the user groups and developed sound management plans and the sustainable salmon policy. Good progress was made until commercial interests took over the board again, "and now we're back in the dark ages."

6:32:51 PM

RICKY GEASE, Executive Director, Kenai River Sportfishing Association, Kenai, said he didn't have a problem with the bill conceptually. He pointed out that some advisory committees across the state have gone towards designated seats; the Kenai Soldotna AC designated three seats for commercial permits on the Kenai River along with hunting and subsistence seats. He said it seemed to be working there.

He suggested tightening the language in SB 284 so that people wouldn't be conflicted out, like saying just an immediate family member couldn't have a commercial license. He liked a lay board, but thought professionals should be integrated into it for a good mix. Economic expertise is important and he suggested using

people from the Department of Commerce, Community & Economic Development. He said the commercial salmon industry is looking at many ways to improve the quality and economics.

6:35:30 PM

DAVID MARTIN, Chairman, Central Peninsula Advisory Committee, Clam Gulch, said he had been involved in the Board of Fish process for over 25 years and had commercially fished in Cook Inlet for 36 years. He opposed SB 284. When some groups don't get what they want based strictly on allocation, they cry foul, and that is what happened in the Upper Cook Inlet Board of Fisheries meeting. Data shows that the Susitna sonar was undercounting; the actual count at the weirs verified that sockeye escapement was being met and exceeded. Scientific data also showed that the commercial fisheries has been and continues to be severely restricted from catching northern-bound salmon stock and that 70-90 percent of the salmon make it into the rivers. Any problems are not in the salt water; they are in the river.

MR. MARTIN said SB 284 is the latest maneuver to move the Soldotna ADF&G department to Anchorage. It is an unfortunate knee-jerk reaction that will only result in undermining biological management, the Board of Fisheries process and the department. He said:

If using reliable scientific data and biological management is not the mission of the Board of Fish, an increased (indisc.) to any number of designated seats will not be in the best long term interest of the resource and the people of Alaska. They need to learn from the mistakes of the Lower 48 and keep politics out of fish and game management and protect our habitat. Let the biologists do their job and the legislature do their job - like funding the Susitna study that is outlined by the Board of Fish Action Plan and requested by the commissioner of Fish and Game and the Cook Inlet Aquaculture Association. Restructuring the Board of Fish in the Soldotna Department of Fish and Game will be counter productive and more costly. Both measures will cause more problems and solve none. You cannot compromise and disregard scientific data and biological management. Commercial fisheries is the number one employer in the state....

6:38:27 PM

HAL HUME, Fairbanks, said this will be his ninth year serving on the Fairbanks Advisory Council, and he has had numerous opportunities to observe the actions of the Board of Fisheries. The board is without a doubt extremely biased toward the commercial fishing industry by at least six to one. He said this resource belongs to all of Alaskans and not just the commercial guys, many of whom are not even Alaskans. There is strong evidence that King Salmon are being decimated, he said; the stocks are diminishing in quality and numbers in the Gulkana River. He urged them to do everything possible to assure that Alaskans are represented on future fish boards.

MARVIN PETERS, representing himself, Homer, opposed SB 284. He stated that he is chairman of the Homer Fish and Game Advisory Committee and had been on the committee for 25 years; he had been involved with the Board of Fish process for most of that time. He felt very confident in saying that there are no runs in the state that are being killed off by any existing management. Mat-Su might have some problems, but they are being addressed now as that is starting to get functional counters and weirs to replace the ones that didn't work. He noticed a lot of the comments today forgot to include some valid weir counts that show the problem is really not as great as people have been saying.

MR. PETERS said he didn't like the "do not hold/do not own" language. It doesn't require any actual interest to represent a user group and certainly personal use representatives would have to be drawn from a pool of people with little understanding of major fisheries in the state. Having no special interests means they know less about it as far as he was concerned. He stated that the board for the last five years has been the best that it has ever been.

[6:43:53 PM](#)

TOM PAYTON, Chairman, Mt. Enlos Fish and Game Advisory Committee and resident of Squintna, said he had served on the committee since 1986. Squintna is 75 miles from salt water up the Yentna River - in the heart of the northern district problem. He supported SB 284. When Squintna submitted a proposal to the board to allow a subsistence wheel fishery on the Yentna, they were quickly denied that opportunity, although that area had fish wheel history. He suspected that the board resented somebody from such a small fishery expecting to get any allocation out of the Cook Inlet stocks and saw that as the main problem. Commercial fishermen control the salmon stocks, and the

time has come to change that; this bill could be the one to do it.

[6:46:46 PM](#)

REUBEN HANKE, Kenai Sportfishing Association, Kenai, said it has been a real struggle to get some sort of sport fish representation on the board. He supported SB 284.

[6:47:47 PM](#)

HOWARD DELO, representing himself, Mat-Su, said he is currently a sitting member of the Board of Fisheries and opposed SB 284. It is substituting another set of concerns for the ones that have already been voiced.

SENATOR GREEN asked what changes or suggestions he has and indicated he could drop them off at her office.

[6:48:52 PM](#)

RON RAINEY, representing himself, Kenai, said he is a past chairman of the Kenai River Sportfishing and a personal use fisherman; he supported SB 284. He has been going to Board of Fisheries meetings for 20 years and described it as you choose up sides and get your guy appointed to the board and whoever has the stroke there wins the allocation battle. This allocation battle needs fairness and needs assigned seats for user groups. He said public use fishermen have never had a seat on the board and "they really took a hosing on this last Board of Fish meeting."

SENATOR WAGONER asked him to define what kind of hosing the public use sector took.

MR. RAINEY answered that the department had established windows that allowed a given time that someone from the Valley could come down and take their public use fishing on the Kenai River. That was literally set aside because now the local ADF&G commercial fish manager can do away with that window if his escapement is at a certain point. Studies from his people indicate that the windows actually didn't decrease the commercial catch that much or increase the escapement that much. It would have been a perfect opportunity for those personal use fishermen to come down. The managers knew the fish would be there because the nets were out of the water.

[6:51:32 PM](#)

DENNIS HAMANN, Chairman, Mat-Su Fish and Game Advisory Committee, said in his 10 years on the committee he spent a lot

of time participating in the Board of Fish process and it seems that it puts way more emphasis on the allocation rather than biological issues that have come up over the years. He supported SB 284 because he thought each user group needs fair representation. Faulty fish counters are the same ones they have been using for 20 years and there is no doubt that the runs are in abysmal shape.

[6:54:00 PM](#)

BEN ELLIS, representing himself, Anchorage, supported SB 284. He said he worked with Governors Hickel and Knowles in the 90s on Board of Fisheries appointments. He agreed with Senator Green that even though the same problems won't go away, this puts diversity into statute and provides for an educated balanced board.

CHAIR HUGGINS commented that he has heard from multiple people that of the governors that were involved in the process, they give Governor Knowles relatively high marks.

MR. ELLIS responded that Governor Hickel set the precedent of putting a third sport fisherman on the board. Governor Knowles wanted to reach into all areas of the state and into the various user groups. He felt that commercial fishermen at that time came with a very balanced mind that looked for scientific and educated answers. The board's chairs during that time reflected that.

[6:56:53 PM](#)

DAN LEWIS, representing himself, Wasilla, supported SB 284. He reported the fish in the northern Cook Inlet Susitna River are in a lot of trouble, and they need to get some fair representation on the board so that it's fair to all the users.

[6:58:31 PM](#)

SENATOR STEVENS commented that he has heard several comments about fairness, which he agreed with. He comes from a community that depends heavily on the fishing industry and it causes him some concerns that out of seven members, only two represent commercial fishing, the biggest employer in the state. It produces products that go around the world.

CHAIR HUGGINS thanked everyone for their comments. He held SB 284 in committee.

There being no further business to come before the committee, Chair Huggins adjourned the meeting at [6:59:40 PM](#).

