

ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE

April 6, 2012

4:36 p.m.

MEMBERS PRESENT

Senator Joe Paskvan, Co-Chair
Senator Thomas Wagoner, Co-Chair
Senator Bill Wielechowski, Vice Chair
Senator Hollis French

MEMBERS ABSENT

Senator Bert Stedman
Senator Lesil McGuire
Senator Gary Stevens

COMMITTEE CALENDAR

CONFIRMATION HEARINGS

Fisherman's Fund Advisory and Appeals Council

Clay Bezenek, Ketchikan
James Herbert, Seward

- CONFIRMATIONS ADVANCED

Big Game Commercial Services Board

Michael Meekin, Palmer
Michele Metz, Douglas
Donald Quarberg, Delta Junction
Brenda Rebne, Anchorage

- CONFIRMATIONS ADVANCED

Board of Game

Bob Mumford, Anchorage
Theresa Sager-Albaugh, Tok
Lynn Keogh, Jr., Anchorage

- CONFIRMATIONS ADVANCED

SENATE BILL NO. 207

"An Act relating to exemptions for a resident hunting and sport fishing license and to taking fish and game by proxy for a person with mental or physical disabilities."

- SCHEDULED BUT NOT HEARD

SENATE BILL NO. 209

"An Act relating to oil and gas or gas only leasing; requiring that a minimum work commitment be included in each oil and gas and gas only lease and that a proposed plan of development be included in an application for an oil and gas or gas only lease; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

CS FOR HOUSE BILL NO. 118(FIN)

"An Act relating to a tax credit for qualified research and development expenditures; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

HOUSE BILL NO. 340

"An Act relating to the reservation of certain mining claims from all uses incompatible with the purposes for establishing the Petersville Recreational Mining Area."

- MOVED HB 340 OUT OF COMMITTEE ON 4/4/12

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

CLAY BEZENEK
Ketchikan, AK

POSITION STATEMENT: Testified as appointee to the Fisherman's Fund Advisory and Appeals Council.

JAMES HERBERT
Seward, AK

POSITION STATEMENT: Testified as appointee to the Fisherman's Fund Advisory and Appeals Council.

JERRY MCCUNE, President
Cordova District Fishermen United
Cordova, AK

POSITION STATEMENT: Supported appointments of both Mr. Bezenek and Mr. Herbert to the Fisherman's Fund Advisory and Appeals Council.

MARK SALDI, representing himself
Skagway, AK

POSITION STATEMENT: Supported appointments of both Mr. Bezenek and Mr. Herbert to the Fisherman's Fund Advisory and Appeals Council.

MICHAEL MEEKIN
Palmer, AK

POSITION STATEMENT: Testified as appointee to the Big Game Commercial Services Board.

MICHELE METZ
Douglas, AK

POSITION STATEMENT: Testified as appointee to the Big Game Commercial Services Board.

DONALD QUARBERG
Delta Junction, AK

POSITION STATEMENT: Testified as appointee to the Big Game Commercial Services Board.

ROBERT FITHIAN, Executive Director
Alaska Professional Hunters Association
Lower Tonsina, AK

POSITION STATEMENT: Supported the appointments of Michele Metz and Donald Quarberg to the Big Game Commercial Services Board.

BOB MUMFORD
Anchorage, AK

POSITION STATEMENT: Testified as appointee to the Board of Game.

THERESA SAGER-ALBAUGH
Fairbanks, AK

POSITION STATEMENT: Testified as appointee to the Board of Game.

LYNN KEOGH, Jr.
Anchorage, AK

POSITION STATEMENT: Testified as appointee to the Board of Game.

TINA BROWN, representing herself
Juneau, AK

POSITION STATEMENT: Opposed appointment of Mr. Keogh to the Board of Game.

GREG BROWN, representing himself
Juneau, AK

POSITION STATEMENT: Supported the appointment of Mr. Mumford to the Board of Game, but not Mr. Keogh.

ART GREENWALD, representing himself
Fairbanks, AK

POSITION STATEMENT: Opposed Mr. Keogh's appointment to the Board of Game.

JOE KLUTSCH, representing himself
King Salmon, AK

POSITION STATEMENT: Fully supported Mr. Mumford's appointment to the Board of Game.

MARK RICHARDS, Co-Chair
Back Country Hunters and Anglers
Fairbanks, AK

POSITION STATEMENT: Supported the appointments of Mr. Keogh, Ms. Albaugh and Mr. Mumford to the Board of Game.

BOB FITHIAN, Executive Director
Alaska Professional Hunters Association
Lower Tonsina, AK

POSITION STATEMENT: Supported the appointments of Mr. Keogh, Ms. Albaugh and Mr. Mumford to the Board of Game.

GEORGE PIERCE, representing himself
Kasilof, AK

opposed Mr. Keogh's appointment to the Board of Game.

POSITION STATEMENT:

LYNNETTE MORENO-HEINZ, representing herself
Anchorage, AK

POSITION STATEMENT: Supported Ms. Metz's appointment to the Big Game Commercial Services Board.

KENNETH BARBER, representing himself
Palmer, AK

POSITION STATEMENT: Supported the appointments of Mr. Keogh and Ms. Albaugh to the Board of Game.

ROD ARNO, Executive Director
Alaska Outdoor council
Palmer, AK

POSITION STATEMENT: Supported the appointments of Ms. Albaugh, Mr. Keogh and Mr. Mumford to the Board of Game.

PATTY BARBER, representing herself
The Butte, AK

POSITION STATEMENT: Supported the appointments of Mr. Keogh and Ms. Albaugh to the Board of Game.

MELVIN GROVE, President
Prince William Sound Charter Boat Association
Big Lake, AK

POSITION STATEMENT: Supported the appointments of Ms. Albaugh, Mr. Keogh and Mr. Mumford to the Board of Game.

MIKE CRAWFORD, President
Safari Club International
Soldotna, AK

POSITION STATEMENT: Supported the appointments of Mr. Keogh, Ms. Albaugh and Mr. Mumford to the Board of Game.

JOE LETARTE
Alaska Trappers Association
Two Rivers, AK

POSITION STATEMENT:

VIRGIL UMPHENOUR, Chairman
Fairbanks Fish and Game Advisory Committee
North Pole, AK

POSITION STATEMENT: Supported the appointments of Mr. Keogh and Ms. Albaugh to the Board of Game.

VIRGIL UMPHENOUR, representing himself
North Pole, AK

POSITION STATEMENT: Personally supported the appointments of Mr. Keogh, Ms. Albaugh and Mr. Mumford to the Board of Game.

YOLANDA DELACRUZ, representing herself
Anchorage, AK

POSITION STATEMENT: Opposed the appointment of Mr. Keogh to the Board of Game.

BARBARA WINKLEY, representing herself
Anchorage, AK

POSITION STATEMENT: Opposed the appointment of Mr. Keogh to the Board of Game.

ACTION NARRATIVE

[4:36:18 PM](#)

CO-CHAIR THOMAS WAGONER called the Senate Resources Standing Committee meeting to order at 4:36 p.m. Present at the call to order were Senators Wielechowski, French, Co-Chair Wagoner and Co-Chair Paskvan.

CONFIRMATION HEARINGS

[4:37:14 PM](#)

CO-CHAIR WAGONER said the committee would first take up confirmation hearings and the first would be the Fisherman's Fund Advisory and Appeals Council appointees: Clay Bezenek and James Herbert. He invited Mr. Bezenek to tell them out himself and why he wanted to serve another term on the council.

[4:37:25 PM](#)

CLAY BEZENEK, appointee to the Fisherman's Fund Advisory and Appeals Council, Ketchikan, AK, said he had been a commercial fisherman since 1983. He had just completed his first term on the council and really enjoyed the work. He said the Fisherman's Fund actually helped him once when he had a near fatal dive accident in 2002 outside of Craig and it gave him a sense of pride to be on the board, to help people out and make the board effective for the commercial fishermen, especially the ones without insurance who need help in desperate times.

[4:40:29 PM](#)

JAMES HERBERT, appointee to the Fisherman's Fund Advisory and Appeals Council, Seward, AK, said he was a long-time fisherman, as well and if reconfirmed this would be his 15th year serving on the council. He had been appointed under a variety of administrations and took the job very seriously, because the money from every crew member's license and every skipper's permit funds it. Over the years, many fishermen who had no other means had been served significantly by their fellow fishermen through this fund. He had a sense of fiduciary responsibility to carefully make decisions on how to use the fund's money.

He commented that Representative Seaton on House Resources requested a letter from the council about his concern that selling the seven-day commercial fishing crewmen's licenses to non-resident fishermen was severely impacting revenues to the state and may be affecting revenues to the fund in the process.

CO-CHAIR WAGONER asked him for a copy of the council's reply to distribute to the committee.

[4:44:37 PM](#)

JERRY MCCUNE, President, Cordova District Fishermen United, Cordova, AK, said he had worked with both Mr. Bezenek and Mr. Herbert on the bill and he supported both of their appointments to the council. They had served fishermen very well and made sure the Fishermen's fund was being used wisely.

CO-CHAIR WAGONER asked him for a brief overview of the Fishermen's Fund.

MR. MCCUNE explained that a certain percentage of limited entry licenses go into the Fishermen's Fund to provide an insurance pool for fishermen to use if they are not insured or to supplement some things that aren't paid through insurance for an injuries that happen only on the boat.

CO-CHAIR PASKVAN commented that he appreciated hearing from Mr. Herbert about what he sees as one of the future issues. He asked both appointees what major issues they see coming before the Fishermen's Fund and to explain a little about how they would address them.

CO-CHAIR WAGONER closed the public hearing and invited Mr. Bezenek to testify.

[4:47:11 PM](#)

MR. BEZENEK said that they did the math at the spring meeting a couple of weeks ago and found that three non-residents licenses were bought for every one resident license. This ratio was thought to be coming out of the Bristol Bay region where the fishery is about a month long and a year-long crew license is \$200. But if you're only going to be up there for three weeks as a crewman, you can buy three seven-day licenses for \$180.

He explained that the original seven day license came into being when the industry was "on its lips" and tried to get a "dude fishing industry going." Now fishermen feel it should be changed to one seven-day license per year and raise the rate on it to \$100. Then if someone was going to be fishing in Bristol Bay for three weeks it wouldn't be conducive for them to buy three licenses for \$300. Paying \$100 for a one-week license wouldn't hurt the dude fishing industry and the idea hadn't really caught on anyhow.

[4:49:53 PM](#)

MR. HERBERT said that Mr. Bezenek stated the case well, but he needed to correct one thing: the seven-day licenses are only \$30 for crewmen both in state and out of state. So a person is way

ahead by buying a couple of those as opposed to one \$200 year-long license. He said he would forward a letter with the figures in it for clarification, and added that by their calculations, the state is not realizing as much as \$393,000 from the sale of non-resident crewmen licenses, because of the way the licensing is structured and there is no dude fishing recreational segment that caters specifically to rides on commercial fishing boats.

With the claim limit now set at \$10,000 Mr. Herbert said they are carefully watching that paid claims aren't taking a toll on the corpus of the fund. It was holding even at the last meeting, but that's partly because they didn't award any extraordinary payments to people for extraordinary cases this year.

[4:53:20 PM](#)

MR. HERBERT said the third issue he tried to make his fellow council members aware of was that good support from the program coordinator was needed to understand the administrative costs associated with the fund, which from the viewpoint of a private business person seemed quite high. They understand and agree that the Department of Labor manages the fund and has the administrative carte blanche to make decisions on how the money gets used, but because it is money that comes from fishermen, the council members want to see that it gets used as wisely as possible.

[4:53:58 PM](#)

CO-CHAIR WAGONER asked what the balance of the fund was.

MR. HERBERT answered about \$11 million; the last of the claims are now being paid out for the last fishing season and they are about to start receiving more from the crewmen licenses as things ramp up for the upcoming season. The fund balance has hovered around that amount for last few years.

CO-CHAIR WAGONER reopened public testimony to allow another person to testify.

[4:54:53 PM](#)

MARK SALDI, representing himself, Skagway, AK, said he is also on the Fisherman's Fund Advisory and Appeals Council and wanted to recommend the reappointment of both Clay and Jim. They both take maintaining the health of the fund seriously.

CO-CHAIR WAGONER closed public testimony.

CO-CHAIR PASKVAN moved to forward the names of Clay Bezenek and James Herbert to the joint session for serving on the Fisherman's Fund Advisory and Appeals Council in accordance with AS 39.05.080. This does not reflect any intent by any member to vote for or against confirmation of the individuals during any further sessions. There were no objections and it was so ordered.

CO-CHAIR WAGONER thanked them for their service.

[4:57:13 PM](#)

At ease from 4:57 to 4:59 p.m.

[4:59:20 PM](#)

[CO-CHAIR WAGONER handed the gavel over to CO-CHAIR PASKVAN.]

CO-CHAIR PASKVAN called the meeting back to order and brought the appointees for the Big Game Commercial Services Board forward; they consisted of: Michael Meekin, Michelle Metz, Donald Quarberg and Brenda Rebne. He asked them to provide a statement to the committee about their qualifications and state the reasons they want to serve on this board.

[5:00:19 PM](#)

MICHAEL MEEKIN, appointee, Big Game Commercial Services Board, Palmer, AK, said he was born and raised in Palmer and grew up in the guiding business. His father was a big game guide in Alaska and he personally had had a registered guide license for a long time. He also has a transporter license and an air taxi certificate. He wants to serve on this board to give back to the industry that has been good to him. He could see some problems and would like to help with those.

[5:02:12 PM](#)

SENATOR FRENCH asked if he owned Meekin's Air Service.

MR. MEEKIN answered yes.

SENATOR FRENCH said he would be voting for him, because he had dropped him and some friends off at the Scandinavian Hut before and he wanted to always get picked up, too.

[5:02:42 PM](#)

MICHELE METZ, appointee, Big Game Commercial Services Board, Douglas, AK, said she works at Sealaska Corporation as the lands manager and that guides had been operating on their lands since inception. Sealaska had started tracking who was there in 1992

and started to charge them a little fee. A couple of years ago they concluded this could be a good seasonal job and started working with ADF&G, the Forest Service and the Big Game Commercial Services Board to train apprentice guides. When the seat came open for large private land owner on the board, she was recommended for it by one of the current members.

She explained that part of her duties at Sealaska was to manage the guides that operate on their lands and she could learn from serving on this board and thus help the corporation. And in turn, her Sealaska perspective could help the board with issues coming before it.

CO-CHAIR PASKVAN asked what she saw as the big issue coming before the Big Game Commercial Services Board.

MS. METZ answered that she attended one meeting in Fairbanks and sensed a perception of competition for guiding in some of the areas and the state was considering starting a concession program.

CO-CHAIR PASKVAN thanked her for being present today.

5:06:10 PM

DONALD QUARBERG, appointee, Big Game Commercial Services Board, Delta Junction, AK, said he had lived there since 1978. He briefed them that he did not intend to become a candidate for this position when it started, but was appointed by the governor in June and has served on two audio conferences and two meetings, one in December and one in March. Prior to that, he served on the Fish and Game Advisory Committee in Delta for 20 some years and on the Delta Bison Working Group, essentially another advisory committee.

He said that about 2.5 years ago, DNR submitted its proposal for this guide concession program that will regulate how guides will operate on state lands. He asked two members of the committee who happened to be assistant guides to comment on it and eventually five or six local guides got together for a meeting. Since he didn't know that much about the guiding profession, he invited himself to the meeting. About 40 hours later they had a 10-page rebuttal to the list of suggestions. That led to his being encouraged to attend the Alaska Professional Hunters Association meeting in Anchorage, which he did, and he was impressed with their concern about the quality of the service they provide and the professionalism of the guiding industry. That led to an invite to attend the March meeting of the Big

Game Commercial Services Board in Fairbanks where he met with some representatives from the DNR and local guides; they talked about the guide concession program. Then he returned home and found that a vacancy had appeared for a public representative on the Big Game Commercial Services Board, and he was asked if he wanted to submit an application. He sent it in and was appointed.

CO-CHAIR PASKVAN thanked him for his comments and announced that he had just received notice that Brenda Rebne was unavailable today.

SENATOR WIELECHOWSKI said it's always good to have those who are interested in serving on boards and commissions to come before them and asked why she wasn't available.

CO-CHAIR PASKVAN said he didn't know why. He noted that a witness on line wanted to speak on several of the appointments and maybe he could ask about her specifically. Then he opened public comment.

[5:11:30 PM](#)

ROBERT FITHIAN, Executive Director, Alaska Professional Hunters Association, Lower Tonsina, AK, approved of Michele Metz and Donald Quarberg, saying Ms. Metz became known to him through her position in Sealaska when some conservation-related issues came up recently. She reached out and talked about how to work together to build better partnerships on private lands. He was pleased that she accepted the nomination to the board.

He said he was familiar with Mr. Quarberg through a number of members that work with him on the Delta Fish and Game Advisory Committee. "He seeks to find a balance," often reaching out and asking lots of questions.

He said that he wasn't sure why Ms. Rebne wasn't here today, but she is the vice president of Ahtna Corporation. When she was first appointed to the Big Game Commercial Services Board there had been a long standing conflict between the board of Game and the Ahtna people, in general. She had been a "fierce fighter" on private land rights within that and the federal subsistence board arenas. A number of people had questions about her appointment, but he supported her because she was willing to build partnerships and to serve on the board and learn about the way of life the Big Game Commercial Services Board represents. She has learned a lot through the years and has become an advocate for the guiding and transporting industry

MR. FITHIAN said Ms. Rebne commonly talks about education of guides and working out conservation partnerships between the private land owners. She has turned out to be a good spokesperson for the particular industries that the board represents.

CO-CHAIR WAGONER said he hadn't heard any negative feedback on her.

CO-CHAIR PASKVAN said he hadn't heard anything controversial either.

SENATOR WIELECHOWSKI said he hadn't heard anything controversial about this candidate, but he didn't want members to feel they didn't have to show up. It's important that the appointees at least give them an opportunity to hear what they have to say and to question them if necessary.

CO-CHAIR PASKVAN agreed and said it's important to maintain the process.

[5:15:51 PM](#)

SENATOR FRENCH also agreed with Senator Wielechowski' remarks.

CO-CHAIR WAGONER moved to forward the names of Michael Meekin, Michele Metz, Donald Quarberg and Brenda Rebne to a joint session for consideration of serving on the Big Game Commercial Services Board. This did not reflect an intent by any members to vote for or against the confirmation of the individuals during any further session. There were no objections and it was so ordered.

[5:18:19 PM](#)

At ease from 5:18 to 5:20 p.m.

[5:20:10 PM](#)

CO-CHAIR PASKVAN called the meeting back to order and announced consideration of Lynn Keogh, Jr. from Anchorage, Teresa Sager-Albaugh from Tok, and Robert Mumford from Anchorage. He asked them to give a short statement first and then the committee would ask questions. He would then open up public comment.

[5:21:06 PM](#)

BOB MUMFORD, appointee, Board of Game, Anchorage, AK, said he had been in Alaska for 37 years; he first came up with the US Air Force and was stationed at Elmendorf. After that he was an

Alaska State Trooper for 20 years, 18 of which were with the Fish and Wildlife Protection Division. He served at the posts in Palmer, Sand Point, Kodiak, Fairbanks and Coldfoot. He was promoted to sergeant and worked the Kenai Peninsula in Soldotna as the first land supervisor. He was promoted again to lieutenant, winding up in Anchorage. After he retired, he had several flying jobs including wildlife surveys on the North Slope, air taxi and transporter services in Tok, and he has done some security work.

MR. MUMFORD said he also has five years of volunteer hunter education experience with the ADF&G and has served five years on the Big Game Commercial Services Board in the public seat. He wanted to be on the Board of Game because of his "deep seated interest" in wildlife issues. He brings a strong ethical background and a strong background in working within the statutes and regulations of the state and the Constitution. He is a hunter and a wildlife photographer and viewer, as well. He considers himself "a bit of a conservationist," but is in support of managing our resources to maintain good healthy populations and conserve and develop all the resources we have.

CO-CHAIR PASKVAN said part of the statutory obligations under AS 16.05.221 is to provide a view for diversity of interest and points of view in the membership and asked what diversity he would represent on this board.

MR. MUMFORD replied that he is an avid wildlife photographer and an independent thinker who has worked with various agencies and people around the state, because he has moved around the state quite a bit. His strengths are working within the statutes and regulations, knowing the enforceability of regulations and working within the constitutional mandates.

SENATOR FRENCH thanked him for his service, both to the country and to the state.

CO-CHAIR PASKVAN, seeing no further questions, thanked him, as well.

5:26:21 PM

THERESA SAGER-ALBAUGH, appointee, Board of Game, Fairbanks, AK, said she grew up hunting and fishing with her family in Fairbanks. She moved to the Tok Cutoff in 1984 and now lives with her husband just north of Mentasta Pass in a log cabin. Her nearest neighbor is about two miles away, so they are on the road system, but fairly remote.

MS. ALBBAUGH said she had worked for the past 15 years for a Summit Consulting Services, a construction management and engineering firm for primarily water and sewer projects. She serves as the personnel manager and handles a good share of the company marketing and internal operations.

She said she loves the outdoors and is an avid hunter and fisher and traps with her husband as often as her schedule allows. She has no professional career or training in wildlife management but has a "very deep appreciation" for all wildlife and can offer her experience as a life-long Alaskan as well as many years of field observation. She makes an effort to be a guardian of equal access and common use of the state public natural resources. She would be honored to continue participating in sound game management through development of regulations and would be pleased to serve another term.

[5:29:30 PM](#)

LYNN KEOGH, Jr., appointee, Board of Game, Anchorage, AK, said he was born and raised in Anchorage. He has owned and operated a fishing guide service on the Kenai Peninsula with his wife and three children for the past 26 years; he grew up hunting, fishing and trapping and enjoying everything Alaska has to offer. He has raised his children the same way. He would like to serve on the board to give back and make sure his kids and grandkids can do what he has been able to do.

MR. KEOGH said he is a registered hunting guide and a licensed Coast Guard captain and had been for over 25 years.

CO-CHAIR PASKVAN thanked him and opened public testimony.

[5:30:51 PM](#)

TINA BROWN, representing herself, Juneau, AK, said Lynn Keogh had a pattern of disregard for the law and she had deep concerns with his appointment to the Board of Game. He has a long civil court record in Anchorage, Glennallen, Homer, Kenai and Palmer. When viewed as a body, his offenses suggest a pattern of disregard for the law and this is not the kind of person she wanted representing her on the board.

According to Alaska statute, as mentioned already, members of the Board of Game should provide diversity of interests and points of view and Mr. Keogh does not do that, she said. He brings nothing new to the Board of Game. Therefore, approximately 85 percent of Alaskans are not represented.

MS. BROWN said that many Alaskans are deeply disappointed in and discouraged by recent Board of Game actions such as bear snaring for the first time since statehood. Given Mr. Keogh's resume' and recent votes in Fairbanks at the Board of Game meeting he would further disappoint and discourage those people if appointed now.

The most recently confirmed member from last year has ADF&G fish and game violations on record and other Board of Game members have fish and wildlife violations on their records and she didn't want someone with civil violations of this extent on record to be on the Board of Game. Alaska's public image as far as wildlife management goes is already tarnished and she saw no reason to further damage our reputation.

5:34:13 PM

GREG BROWN, representing himself, Juneau, AK, supported the appointments of Mr. Mumford, but not Mr. Keogh to the Board of Game. He wanted to talk about numbers; first he said US Fish and Wildlife numbers indicate that hunting has declined by 10 percent over the last 10 years while wildlife viewing had increased by over 13 percent. In 2001, 7,039 big game tags issued to residents of the State of Alaska and last year there were 5,291, a decline of 24 percent. Non-resident big game tags were 17,157 and went down to 12,970 (24 percent) in 2011.

He said the consumptive market in Alaska is \$125 million and the non-consumptive market is \$581 million. The non-consumptive market is \$30 billion a year and growing at a very fast rate all over the entire United States while the consumptive market is at best staying flat and generally going down 1 to 2 percent a year.

MR. BROWN said right now the board has seven members and they all look pretty much the same - like hunters and trappers; many are second and third generation Alaskans and run consumptive businesses. But no one is representing a majority of the market, which is non-consumptive users of wildlife.

MR. BROWN said he liked Mr. Mumford's resume' very much, but he could not recommend Mr. Keogh because he looked just like everybody else on the list. They should be looking for diversity and somebody who will represent the entire State of Alaska. According to an analysis he did, the non-consumptive market could grow another \$500 million in five years. That would mean

10,000 jobs for the State of Alaska. It would also give an economic reason for preserving Native culture.

5:37:21 PM

CO-CHAIR WAGONER asked if he felt the decline in consumptive use was the result of a decline in available game or lack of interest in hunting.

MR. BROWN replied a combination of both, although the game is harder to get. But youth interest has changed dramatically with urbanization and the advance of electronics; and they are not growing up in a hunting philosophy. He said that he grew up hunting; his father hunted all over the world; he wasn't against hunting. But from an economic perspective, the opportunity in Alaska is not hunting but non-consumptive wildlife viewing.

5:38:24 PM

ART GREENWALD, representing himself, Fairbanks, AK, opposed Mr. Keogh's appointment to the Board of Game. Mr. Greenwald said he had lived in Fairbanks for 42 years and had hunted successfully in that time, but he opposed Mr. Keogh's appointment for at least two reasons. First, he had an extensive court record of 13 cases and this is a board that establishes rules and regulations for the rest of the population. People in a position of authority like that need to have integrity and he simply fails that test.

Second, Mr. Keogh offered no diversity on the board, because he is a consumptive user. The vast majority of Alaskans have no voice on that board even though it is supposed to provide it. That same diversity is even in the Board of Game's mission statement. Yet the whole board is composed of hunters and trappers and has no representation for the wildlife viewer, photographers or the tourism industry. Wildlife viewers should be represented, because the State Constitution says the resource is owned by all Alaskans, not just the ones that hunt and trap.

MR. GREENWALD said if he were a legislator, he would be asking himself how Mr. Keogh could possibly represent Alaskans if so many people oppose him.

5:40:33 PM

JOE KLUTSCH, representing himself, King Salmon, AK, said he fully supported Mr. Mumford's appointment to the Board of Game. Mr. Klutsch said he had worked as a sport fishing guide a hunting guide, commercial fished, and lived in trapping cabins. He had known Mr. Mumford, because he has checked him in his

camps; he has known him as a trooper, as a friend and an aviator. This guy has been around and knows the statutes and laws. He knows right from wrong and is not prejudiced in any matter. He can ferret out truth from fiction and would make an excellent appointee to the Board of Game.

MR. KLUTSCH said Theresa Albaugh had also done a good job. Further, he opined that there is no such thing as non-consumptive users and he is all for bear viewing: 99 percent of what he does is view and enjoy wildlife. But to portray any given group of people as non-consumptive is a euphemism and ridiculous. Photographers and wildlife viewers in Katmai National Park eat up more habitat and more resources and create more conflicts than all the hunters combined.

[5:43:25 PM](#)

MARK RICHARDS, Co-Chair, Back Country Hunters and Anglers, Fairbanks, AK, supported the appointments of Mr. Keogh, Ms. Albaugh and Mr. Mumford to the Board of Game. He was very impressed with Mr. Keogh at the March board meeting, because he treated the public respectfully and was very verbal during deliberations. A proposal to allow the taking coyotes year-round came up and he was the only member opposed to it, his rationale being that nothing from the animal was utilized, either the hide or the meat.

MR. RICHARDS said they also supported Teresa Sager-Albaugh; she works hard and studies the issues; her questions are always on point and she engages the public well.

They also supported Mr. Mumford who would bring a needed attribute to the board with his trooper and transport experience for motorized access issues.

[5:45:21 PM](#)

BOB FITHIAN, Executive Director, Alaska Professional Hunters Association, Lower Tonsina, AK, said he supported all three appointments to the Board of Game. He thought he had attended more Board of Game meetings in the past decade than any of the members had and had seen a lot of board members come and go. It's important for them to hear about resources, stewardship, wildlife, wildlife stewardship, and the constitutional mandates that provide for sustained yield, maximum benefit and management for abundance. They provide for the best interests of Alaska's wildlife resources and the best interests of all people, whether they are wildlife viewers, hunters or trappers.

[5:47:32 PM](#)

GEORGE PIERCE, representing himself, Kasilof, AK, opposed Mr. Keogh's appointment to the Board of Game. Hunting guides and special interest groups control the board that is politically based and not science based, he said. Our game is being sold for outside interests and not Alaskans. Don't reappoint old members, but get new ones to participate who are biologists.

[5:50:43 PM](#)

LYNNETTE MORENO-HEINZ, representing herself, Anchorage, AK, supported Ms. Metz's appointment to the Big Game Commercial Services Board saying she would provide more diversity on the board and that is needed.

MS. HEINZ related that she was a cab driver and the past president of Anchorage Tlingit and Haida and the Alaska Native Sisterhood, Camp 87. She had been appointed to the Southcentral Regional Advisory Board of Game and had to go through a lot meetings to qualify. Now the appointees are not scrutinized. For instance, she replaced an ex-sex offender and she has heard board members bragging about much money they were making guiding, their fancy boats and cars.

CO-CHAIR WAGONER stated that he had an opportunity to ride in her taxi cab one day and had a very good discussion with her.

[5:54:42 PM](#)

KENNETH BARBER, representing himself, Palmer, AK, supported the appointments of Mr. Keogh and Ms. Albaugh to the Board of Game. He had spent time with Mr. Keogh on MatSu advisory committees and found him to be open and with a lot of good ideas on how to fix some trapping on trail systems issues. Ms. Albaugh had been on the board for a quite a while and had done a good job, too.

[5:56:18 PM](#)

ROD ARNO, Executive Director, Alaska Outdoor council, Palmer, AK, supported the appointments of Ms. Albaugh, Mr. Keogh and Mr. Mumford to the Board of Game. He said that people were beginning to see the results of predator/prey management. As harvestable surplus numbers begin to rise they are seeing a lessening in the number of user conflicts who get to harvest them. The trend lately is that the Governor is nominating and the legislature is confirming people to the board who are adopting regulations that are consistent with game management laws.

SENATOR FRENCH said someone sent him an email that purports to be from Randy Reudrich that claims to forward an email that Mr.

Arno sent and asked if that was true. The last line of the email basically says:

Get the word out. We can't let the antis defeat Lynn's confirmation like they did to Al Barrette. POMs need to be sent to every legislator from now supporting Lynn. Let legislators know we'll go after every one of them who votes against Keogh next November.

MR. ARNO admitted sending it out and said they plan to follow through with it.

SENATOR FRENCH asked if that meant he would vote for him in the next election if he did vote to confirm Mr. Keogh.

[5:59:18 PM](#)

PATTY BARBER, representing herself, The Butte, AK, supported the appointments of Mr. Keogh and Ms. Albaugh to the Board of Game. She had known them for many years and felt they were a great asset for management of the state's game populations.

[6:00:04 PM](#)

MELVIN GROVE, President, Prince William Sound Charter Boat Association, Big Lake, AK, supported the appointments of Ms. Albaugh, Mr. Keogh and Mr. Mumford to the Board of Game. He had positions on the MatSu Valley Fish and Game Advisory Committee and the Alaska Outdoor Council. He had participated in numerous Board of Fisheries meetings and watched Ms. Albaugh who is an extremely hard worker. She had watched Mr. Keogh in that capacity as well and he had done an outstanding job, his views representing 85 percent of Alaskans. He was pretty confident that the Advisory Committee had supported his initial nomination and every member would probably support his current nomination, as well since their views were consistent with his. From reading Mr. Mumford's resume' he thought those views would be supported by him, as well.

[6:02:18 PM](#)

MIKE CRAWFORD, President, Safari Club International, Soldotna, AK, supported the appointments of Mr. Keogh, Ms. Albaugh and Mr. Mumford to the Board of Game. As chair of the advisory committee he had attended many board meetings and thought Mr. Keogh performed well. He came to the meetings prepared and knowledgeable of issues before it. In addition, he has years of experience and first-hand knowledge in the field.

He said Ms. Albaugh has a good background that qualifies her to be on the board and Mr. Mumford's law enforcement background would be good for the board.

6:04:00 PM

JOE LETARTE, Alaska Trappers Association, Two Rivers, AK, Fairbanks supported the appointments of Mr. Keogh, Ms. Albaugh and Mr. Mumford to the Board of Game. Mr. Keogh is a proven leader in the outdoor industry and has vast experience from his fish guiding and Coast Guard captaining. He interacts well with the public and listens to their concerns. He votes based on science rather than public opinion, so they felt he was a well-rounded individual for the board.

Mr. Mumford is also a strong candidate with his law enforcement experience. His many years as a trooper in Alaska give him a unique perspective. Ms. Albaugh has performed very well, also.

6:05:30 PM

VIRGIL UMPHENOUR, Chairman, Fairbanks Fish and Game Advisory Committee, North Pole, AK, supported the appointments of Mr. Keogh and Ms. Albaugh to the Board of Game. The committee voted unanimously to support Mr. Keogh and supported Ms. Albaugh, as well.

VIRGIL UMPHENOUR, representing himself, North Pole, AK, said he personally supported all three appointments to the Board of Game. The committee didn't know Mr. Mumford was going to be appointed, so they didn't get to discuss him. Mr. Umphenour said he had served on the Board of Fisheries for eight years and knew what it took to be a good board member; he knew and highly recommended all three appointees. They are highly qualified and have the desire to do what a good board member has to do: homework: read all the staff reports, all the scientific reports and make yourself available to work with the public.

6:07:30 PM

YOLANDA DELACRUZ, representing herself, Anchorage, AK, opposed the appointment of Mr. Keogh to the Board of Game. She said she is an American Indian and a proud American citizen. Mr. Keogh had already voted to approve killing bears and wolves from helicopters and he had voted to approve total extermination of bears in a 540 square mile area. He has extensive experience as a professional hunter but still had 13 violations in the last several years.

She said the current Board of Game is weighted in favor of the conventional hunting industry, but it needs diversity and balance and to include people who represent the tourist industry, subsistence and wildlife viewing.

6:09:53 PM

BARBARA WINKLEY, representing herself, Anchorage, AK, opposed the appointment of Mr. Keogh to the Board of Game. She had lived in Alaska long enough to see board members appointed by many governors and they had always appointed a "token wildlife advocate." She recalled a big change in Board of Game appointees after the turn of the century during the last three administrations. On March 20, she attended a Board of Game Advisory meeting where the area biologist from Soldotna, Jeff Salinger, said he believed low moose numbers on the Kenai were caused by loss of habitat not predators, but studies of the issue had not been completed. She emphatically asked why the board goes ahead and authorizes unnecessary killing of wolves and bears.

She said that Mr. Keogh voted to approve the killing of bear and wolves from helicopters and voted to approve total exterminate of bears in 540 square miles and to reduce wolves to the lowest possible level in a 1,300 square mile area.

MS. WINKLEY also stated that "The quality of recent wildlife managers with numerous felony charges should be an embarrassment to the state...not to mention the inhuman snaring of bears and gassing of wolf pups in their dens." Since the current Board of Game members appear to do whatever they want without scientific studies and not listen to input from scientists and the public, the only thing to do is to "cut them off at the pass."

CO-CHAIR PASKVAN thanked her for her comments, closed public testimony and asked for committee questions.

SENATOR FRENCH said early this week he had sent Mr. Keogh a letter asking for some details about the case numbers that bear his name in "court view." He had no way of knowing if they belonged to him, but there were quite a few.

MR. KEOGH replied that he had "never been charged or convicted of any crime in Alaska" and was born and raised here, and the three civil cases he was involved in wouldn't be pertinent to his nomination to the Board of Game.

SENATOR FRENCH asked if he had looked at "court view" records for himself.

MR. KEOGH answered no.

SENATOR FRENCH said in 2003, case number 3N0305561 seemed to deal with his Permanent Fund Dividend and asked what that was about.

MR. KEOGH said that was not him.

SENATOR FRENCH asked about case number 3N0413452, a collection matter.

MR. KEOGH said that was not him.

SENATOR FRENCH asked about three small claim actions in 1990, 2006 and 2003.

MR. KEOGH replied yes, that was him.

SENATOR FRENCH asked if he was trying to collect from someone or if someone was trying to collect from him.

MR. KEOGH replied that they were so far apart on what was owed and wasn't owned for all three cases that he welcomed them to take him to court.

SENATOR FRENCH asked if he was involved in a 2009 foreclosure action number 3N0968751.

MR. KEOGH answered no.

SENATOR FRENCH asked if he had a couple of speeding tickets last year.

MR. KEOGH answered yes; two.

[6:15:53 PM](#)

SENATOR FRENCH said another case took place on the Kenai River and asked what that was about.

MR. KEOGH answered that it was a "motor violation." He had the wrong throttle cam in the motor. He had been running the motor for six years and didn't know it was not legal. A citation was issued when it was found to be wrong. The next year the

regulation was changed so that the motor he had at the time was legal.

SENATOR FRENCH asked about a case in Kenai dealing with a commercial fishing permit issue.

MR. KEOGH replied, "It's the same thing. When you've got a commercial guide permit on the Kenai River, there's two deals. If there's like an equipment violation, but then also ends up as a guide stipulation violation, so you actually get whacked twice for the same offense."

SENATOR FRENCH said earlier today they spoke to Mike Meekin who is an appointee to the Big Game Commercial Services Board and he was asked on his application whether he might have any conflict of interest or whether he or his family might be benefited financially from the decisions he was going to make. And he said he owned an air taxi service and so it's possible he could make decisions that would benefit that.

In Mr. Keogh's application, he was asked the same question and answered no. But below that he noted that he worked as a big game guide and Senator French asked if he still worked as a big game guide.

MR. KEOGH answered yes; he subcontracts as a big game guide. He explained that when they start a meeting they do an ethics disclosure not knowing what the public will submit in proposals. If a proposal deals with an area he guided in or he could gain financially from a decision he might make, he would make the board aware of that and then recuse himself from that vote.

SENATOR FRENCH said but if today he asked him if he or any member of his family might be affected financially by decisions to be made by the board or commission for which he was applying how would he answer the question.

MR. KEOGH replied, "I would say no, because I wouldn't be voting on it." He added, "If my family or myself could benefit financially, I would recuse myself from that vote and make them aware of why I was doing that - because I stood to benefit."

SENATOR FRENCH asked him to listen to the question one more time and read it again and explained that it doesn't ask if he will vote on something that will benefit him. It says will that board or commission make a decision that would benefit him.

MR. KEOGH admitted there was always that potential.

SENATOR FRENCH asked if after careful consideration he would change that answer to yes.

MR. KEOGH answered yes.

CO-CHAIR PASKVAN found no further questions of Mr. Keogh.

6:20:00 PM

CO-CHAIR WAGONER moved to forward the names of Lynn Keogh, Theresa Sager-Albaugh and Robert Mumford to a joint session for consideration for the Board of Game. He noted that this didn't reflect any intent by any member to vote for or against the confirmation of the individuals during any further sessions.

CO-CHAIR PASKVAN announced that without objection, the names would be forwarded to the joint body.

There being nothing further to come before the committee, Co-Chair Paskvan adjourned the Senate Resources Standing Committee meeting at 6:20 p.m.