

ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE

March 18, 2013

3:32 p.m.

MEMBERS PRESENT

Senator Cathy Giessel, Chair
Senator Fred Dyson, Vice Chair
Senator Peter Micciche
Senator Click Bishop
Senator Anna Fairclough
Senator Hollis French

MEMBERS ABSENT

Senator Lesil McGuire

COMMITTEE CALENDAR

Confirmation Hearings

Board of Fisheries

Reed Morisky - Fairbanks

- CONFIRMATION ADVANCED

Big Game Commercial Services Board

Karen Polley - Juneau

James (David) Jones - Kodiak

James (Tom) Atkins - Anchorage

- CONFIRMATIONS ADVANCED

Gene Peltola, Sr. - Bethel

- CONFIRMATION RESCHEDULED

PREVIOUS COMMITTEE ACTION

No previous action to consider

WITNESS REGISTER

REED MORISKY, nominee for the Board of Fisheries
Fairbanks, Alaska

POSITION STATEMENT: Related his interests in and qualifications
for serving the Board of Fisheries.

RICKY GEASE, Executive Director
Kenai River Sport Fishing Association
Soldotna, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries.

REUBEN HANKE, representing himself
Soldotna, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries

ART NELSON, Director
Policy and Outreach
Bering Sea Fisherman's Association
Anchorage, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries.

CHARLIE LEAN, Vice Chair
Northern Norton Sound Advisory Committee
Director, Fisheries Research and Development Group
Norton Sound Economic Development Corporation
Nome, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries.

MONTE ROBERTS, representing himself
Soldotna, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries.

HEATH HILYARD, Executive Director
Southeast Alaska Guides Association
Anchorage, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries.

VERGIL UMPHENOUR, Chairman
Fairbanks Fish and Game Advisory Committee
Fairbanks, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries.

DAVID MILLER, representing himself
Fairbanks, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries.

BECCA ROBINS

Yukon River Drainage Fisheries Association
Anchorage, Alaska

POSITION STATEMENT: Supported Mr. Morisky's appointment to the Board of Fisheries.

KAREN POLLEY, nominee for the Big Game Commercial Services Board
Juneau, Alaska

POSITION STATEMENT: Related her experience and desire to be reappointed to the Big Game Commercial Services Board.

JAMES ATKINS, nominee for the Big Game Commercial Services Board
Anchorage, Alaska

POSITION STATEMENT: Related his experience and desire to serve on the Big Game Commercial Services Board.

JAMES "DAVID" JONES, nominee to the Big Game Commercial Services Board
Kodiak, Alaska

POSITION STATEMENT: Related his experience and desire to serve on the Big Game Commercial Services Board.

THOR STACEY, lobbyist

Alaska Professional Hunters Association
Juneau, Alaska

POSITION STATEMENT: Supported Mr. Peltola's appointment to the Big Game Commercial Services Board.

ACTION NARRATIVE

[3:32:55 PM](#)

CHAIR CATHY GIESSEL called the Senate Resources Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators Dyson, French, Bishop, Micciche, and Chair Giessel.

CONFIRMATION HEARINGS **Board of Fisheries**

[3:33:27 PM](#)

CHAIR GIESSEL announced the hearing for the governor's appointee for the Board of Fisheries, Mr. Morisky. She asked him to tell the committee about his interest in and qualifications for the board.

[3:33:38 PM](#)

SENATOR FAIRCLOUGH joined the committee.

[3:34:36 PM](#)

REED MORISKY, nominee for the Board of Fisheries, Fairbanks, Alaska, said he is a past member of the Sport Fish and Guide Services Task Force and had been focused on fisheries particularly for the last 10 years and advocates for a responsible sport fishing industry. He just completed his first week of board meetings where some very contentious area M fisheries proposals were discussed.

MR. MORISKY said he was raised in a family that values fishing and the outdoors and his brother has fished in Alaska commercially for several decades. Over the years he has learned from him the challenges that commercial fishermen in Alaska face. He has also run a sport fishing guide business for 25-plus years, so he has a broad background in fisheries issues.

[3:35:21 PM](#)

SENATOR MICCICHE noted a couple of letters of support for Mr. Morisky's appointment and didn't see anyone having issues with him serving on the board. He asked Mr. Morisky if he honestly felt that he could face both sides of an issue in absolute fairness.

MR. MORISKY answered that he has an open mind and could make fair decisions. Even though he has a background in sport fishing he is very close to his brother and followed him as a commercial fisherman. Commercial fishing is a legitimate industry in Alaska. He wanted to bring a balanced approach to the board process.

[3:37:14 PM](#)

SENATOR FAIRCLOUGH said she was wondering how he viewed his responsibilities on the board and asked who he thought he was serving; the governor, the legislature or his community.

MR. MORISKY said he understood that being from Fairbanks and having a sport fish guide business he might be viewed as leaning that way just as others on the board have a commercial fishing background and may lean that way. However, in the last board meeting he listened to all sides and dealt into all the issues from mesh depth to the genetic study of where the fish may or may not be going. These issues are complicated and have no pat answers. He hoped to bring a sense of exploration to the process

to find out what the core issues are. There's a lot more going on than just the perception that it's sport versus commercial; for instance environmental elements could be affecting fish runs. "It's going to take some shared responsibility here to bring a lot of these things to a solution," he said.

SENATOR FAIRCLOUGH said Mr. Morisky had letters of support that absolutely outline his fairness and indicate that he is well read on the topics and asked him to talk about his independence as a board member and how that will balance what ADF&G tells him is gospel. If they tell him something should be closed or opened, how would he remain independent and on behalf of the legislature make sure that Alaskans' voices are heard?

MR. MORISKY said he greatly respects the work that ADF&G does in figuring out what biologically and scientifically is going on, however, the board deals with allocation issues, seasons and bag limits. The board would have a responsibility to work through the information "in full spectrum."

3:41:53 PM

SENATOR FAIRCLOUGH said the board will have proposal 28 about advisory committees (AC) in front of it and asked him to talk about he perceives the value of their information and if they should be included as a voice or a voting member as the Board of Fisheries meets.

MR. MORISKY said he looks at the advisory committee votes as well as their comments; they bring a lot to the table. Different ACs from adjacent areas can reveal patterns so one can get an idea of what is going on in a particular region.

SENATOR FAIRCLOUGH asked specifically if ACs should have a voting or advisory role and if they should participate in the meetings in any way.

MR. MORISKY replied that voting may dilute the board process or not, but they have testified before the board before and that maybe carries more weight than other testimony.

SENATOR FAIRCLOUGH said proposal 28 gives the ACs that are already referred to in regulation formal recognition. At least one suggestion to the Board of Fisheries was that one delegate from each AC across the state be able to participate in a discussion of an amendment within the board process and defend a perspective affecting a regional stock that might not otherwise be there after the public comment period had closed.

MR. MORISKY said he didn't have a problem with what she just described.

[3:45:11 PM](#)

RICKY GEASE, Executive Director, Kenai River Sport Fishing Association, Soldotna, Alaska, supported Mr. Morisky's appointment to the Board of Fisheries. They observed his first meeting on the board during a contentious area M meeting where there were lots of different factions. He read the information, had good questions, and was approachable on issues; he was very thoughtful in deliberating the various proposals.

[3:46:48 PM](#)

REUBEN HANKE, representing himself, Soldotna, Alaska, supported Mr. Morisky's appointment to the Board of Fisheries saying he will make an excellent addition to it. He knew Mr. Morisky for several years and had worked with him on the Guide Task Force several years ago. In addition, he had seen him in action at the last area M meeting; he was very approachable and a good communicator.

[3:47:38 PM](#)

ART NELSON, Director, Policy and Outreach, Bering Sea Fisherman's Association, Anchorage, Alaska, supported Mr. Morisky's appointment to the Board of Fisheries. He met Mr. Morisky for the first time last month when he did a great job of jumping right into a very contentious meeting and hit the ground running; he was very impressed.

[3:48:44 PM](#)

CHARLIE LEAN, Vice Chair, Northern Norton Sound Advisory Committee, Nome, Alaska, and Director, Norton Sound Economic Development Corporation's Fisheries Research and Development Group, said he had attended Board of Fisheries meetings since the late 1970s and supported Mr. Morisky's appointment. He watched Mr. Morisky in his first board meeting when he had very little time to prepare, but he was prepared, composed and fair. His questions indicated that he had prepared for this meeting. Most importantly, he was able to express his analysis that led to his conclusions, which is an important quality that is necessary for building a record.

[3:50:28 PM](#)

MONTE ROBERTS, representing himself, Soldotna, Alaska, said he owned a fishing guide business and supported Mr. Morisky's appointment to the Board of Fisheries for a lot of the same

reasons that had already been mentioned. In addition, he felt the Interior was often under-represented on the Board of Fisheries and he was happy to see someone from there who is interested, dedicated and knows a lot about the Interior fisheries who will help the board make good decisions on those areas.

[3:51:28 PM](#)

HEATH HILYARD, Executive Director, Southeast Alaska Guides Association, Anchorage, Alaska, supported Mr. Morisky's appointment to the Board of Fisheries. His association had an opportunity to work very closely with the governor's office on this appointment and had been very impressed with his performance so far. A number of his board members are quite familiar with him and are confident he will be fair and balanced with commercial and sport interests as well as conservation and economic considerations.

[3:52:35 PM](#)

VERGIL UMPHENOUR, Chairman, Fairbanks Fish and Game Advisory Committee, Fairbanks, Alaska, fully supported Mr. Morisky's appointment to the Board of Fisheries. He said he listened to the deliberations portion of the area M meeting, which he thought was the toughest one of all (because all the fish they harvest in the month of June are headed to western Alaska where fisheries are severely restricted and some are even closed) and Mr. Morisky did an excellent job of bringing a perspective the board hadn't had for a while and.

[3:54:19 PM](#)

DAVID MILLER, representing himself, Fairbanks, Alaska, supported Mr. Morisky's appointment to the Board of Fisheries. He knew and worked with Mr. Morisky for a number of years. As a sport and subsistence fisherman he thought Mr. Morisky was perfect for this job; he is honest, intelligent, fair, compassionate and caring. He has the ability to listen and to hear both sides of an argument.

[3:55:12 PM](#)

BECCA ROBINS, Yukon River Drainage Fisheries Association, Anchorage, Alaska, supported Mr. Morisky's appointment to the Board of Fisheries. They are an association of commercial and subsistence fishermen on the length of the Yukon River in Alaska and had the privilege of working with him at the most recent area M meeting and could echo previous comments about his participation.

CHAIR GIESSEL thanked everyone for their testimony and finding no further comments, closed public testimony and announced that the committee was forwarding Mr. Morisky's appointment to the full body in accordance with AS 16.05.221 and AS 39.05.080 for consideration. She said this does not reflect intent of any of the members to vote for or against the confirmation of this individual during any further sessions.

[3:56:32 PM](#)

At ease from 3:56 to 3:58 p.m.

Big Game Commercial Services Board

[3:58:09 PM](#)

CHAIR GIESSEL announced the committee would next hear the governor's appointments to the Big Game Commercial Services Board. She invited Ms. Polley to tell the committee about her interests and qualifications for this position.

KAREN POLLEY, nominee for the Big Game Commercial Services Board, said she is currently serving on the Board as the public member and this would be her reappointment. She has interest in resource management and big game in general and works to assure resources are well managed in the big game guide industry.

SENATOR FRENCH asked what parts of being on the board she enjoys the most and which the least.

[3:59:35 PM](#)

MS. POLLEY said being on the board had been an interesting experience. The first meeting for any new board member is a little overwhelming, but with her three years of experience behind her she was beginning to enjoy making sure the meetings go smoothly and had just been elected as vice chair.

MS. POLLEY said she had worked in education both as a teacher and as an administrator for 25 years; she had also worked for the University of Alaska dealing with regulations and she uses that experience on the board. She also served on the Professional Teaching Practices Commission and got experience in professional licensing. She thought these qualifications would serve her well on the board when she was asked to serve.

[4:00:43 PM](#)

CHAIR GIESSEL asked what she thought about the concept of limiting the number of big game guides in certain areas of the state.

MS. POLLEY said the Big Game Guide Board had supported that effort. The state land concessions had not been processed yet and that should have been done a while ago. It's important to get it done for the future of the guiding industry.

SENATOR DYSON thanked her for serving and asked for a short summary of what the Big Game Commercial Services Board does.

MS. POLLEY replied that the board works with the Division of Community and Regional Affairs to approve, suspend or revoke licenses, and there are several classifications of licenses. They also work with the Department of Commerce, Community and Economic Development (DCCED) to do testing, both written and practical, and provide seminars. They do require some licensees who are on probation for violations to attend seminars at the meetings to begin expanding the guides' education.

SENATOR DYSON asked for an idea of the more outrageous things licenses get revoked for.

MS. POLLEY said the more outrageous things usually go through the court system first and are either admitted and the license is revoked through a consent agreement or if it isn't, the board has a hearing and revokes it. Issues have included illegal taking of game, game products going across state and federal lines without the appropriate authority and things like that.

[4:03:39 PM](#)

SENATOR BISHOP said he liked her background as a vocational educator.

SENATOR DYSON said he liked her background as a merchant marine skipper.

CHAIR GIESSEL found no further comments and closed public testimony on Ms. Polley and invited Mr. Atkins to describe his interest and qualifications for this position.

[4:04:29 PM](#)

JAMES ATKINS, nominee for the Big Game Commercial Services Board, Anchorage, Alaska, said he is a 40-year Alaska resident and had been flying the Alaska Peninsula for over 30 years as a pilot and guide and made a business out of transporting the last few years. His big concern is the resource; he enjoys the outdoors and camaraderie with the guides and hunters of Alaska.

He felt it was time to pay back and was encouraged to apply by two former board members.

4:06:05 PM

SENATOR FRENCH thanked him for being willing to serve and said part of his job might make him stand in judgment before someone he has known through his professional contacts and asked if he felt comfortable doing that.

MR. ATKINS said that wouldn't be a problem. He is a resource person as well as a law and order person. If you break the laws or bend the rules, your friendship is not going to matter that much.

4:07:00 PM

SENATOR FAIRCLOUGH thanked him for being willing to serve and said she was looking at his conflict of interest answer to this question: Could you or any members of your family be affected financially by decisions to be made by the board or commission for which you are applying? He answered no. Others had answered yes, because they were involved either as a pilot or somewhere else and she wanted him to explain why he thought he wouldn't be financially affected (she noted that he was retired and it might be less important in his economic wellbeing).

MR. ATKINS answered that he didn't see any conflict of interest, because he is a retired electrician and used to do the guiding and flying to subsidize construction work. No one else in his family is in any type of outdoor business or has any relationship with his business.

SENATOR FAIRCLOUGH asked if he still pilots or guides now.

MR. ATKINS answered yes; he is a licensed air taxi (since 1999) and has held a guide license since about 1989. He has about 9,000 hours in a Piper Super Cub flying mostly the Alaska Peninsula and most of his clientele are small guides that don't have planes. He also does some drop off hunts for resident Alaskans.

4:09:42 PM

CHAIR GIESSEL asked what he thought about limiting the number of guides in certain areas to reduce the hunting pressure.

MR. ATKINS answered that he had struggled with the issue, but the number of guides has to be limited. However, there is a chance that some of the younger and the older guides will be

left out through some of DNR's proposed language that is very strict and has language that doesn't apply. He understands the reason behind it, because there is a conflict between the public and the guides in certain areas, but as a "resource person" that watched the Multalin caribou herd disappear, he feels deeply troubled about the resource.

[4:11:48 PM](#)

CHAIR GIESSEL opened public testimony on Mr. Atkins and finding none, she closed public testimony. She invited Mr. Jones to tell the committee about his interest in and qualifications for the appointment to this board.

[4:12:14 PM](#)

JAMES "DAVID" JONES, nominee to the Big Game Commercial Services Board, Kodiak, Alaska, related that he came up in 1977 to be an air taxi pilot, which he did for several years; he then moved into commercial fishing and sport fish guiding. Although throughout his history here he participated in transporting hunters and fishermen as an air taxi pilot and a Coast Guard licensed captain, recently he had become a licensed game transporter. Retiring board members asked him to put his name forward, because they thought he might do a good job. He doesn't have a lot of experience in the board arena, but he hoped to help the people of Alaska by doing it.

[4:14:33 PM](#)

SENATOR FRENCH asked if he had attended any meetings of the Commercial Services Board.

MR. JONES answered that he had participated at the last week's meeting in Fairbanks.

SENATOR FRENCH asked if he wanted to share anything about it.

MR. JONES said it was a "nice learning experience" in which enjoyed meeting the members and discovered what it was all about. He learned that some financial matters need to be looked at.

CHAIR GIESSEL opened public testimony on Mr. Jones' appointment and finding no comments, she closed public testimony and thanked him for being available to the committee.

[4:16:23 PM](#)

CHAIR GIESSEL announced the committee would next take up the appointment of Mr. Gene Peltola to Big Game Commercial Services

Board, but there were technical difficulties with the teleconference to Bethel.

SENATOR FRENCH said he got just a paragraph from Mr. Peltola, a thin resume to work from.

[4:17:50 PM](#)

At ease from 4:17 to 4:20 p.m.

[4:20:47 PM](#)

CHAIR GIESSEL welcomed Mr. Stacey to testify on Mr. Peltola's appointment.

[4:21:05 PM](#)

THOR STACEY, lobbyist, Alaska Professional Hunters Association, Juneau, Alaska, supported Mr. Peltola's appointment to the Big Game Commercial Services Board. In general Rural Alaska is the most important component of the state's game resource and having someone from the Bethel region that is known to his members and recommended makes him feel very comfortable.

CHAIR GIESSEL thanked Mr. Stacey and said the question before them is if they want to hold his appointment over until they can speak to him. It is not a mandatory requirement, she said.

[4:22:50 PM](#)

SENATOR MICCICHE said he thought it was appropriate to ask for an application that gives them some idea of his experience and employment history and an idea of how he feels about it.

CHAIR GIESSEL said she would cross his name off the committee report.

She announced that in accordance with AS 39.05.080 the Resources Committee reviewed the following and recommends the appointments of James Atkins, James David Jones, and Karen Polley to the Big Game Commercial Services Board be forwarded to a joint session for consideration. This does not reflect any intent by any of the members to vote for or against the confirmation of the individuals during any further sessions.

[4:24:43 PM](#)

CHAIR GIESSEL adjourned the Senate Resources Committee meeting at 4:24 p.m.