

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

March 30, 2015

1:33 p.m.

MEMBERS PRESENT

Representative David Talerico, Co-Chair
Representative Mike Hawker, Vice Chair
Representative Bob Herron
Representative Craig Johnson
Representative Kurt Olson
Representative Paul Seaton
Representative Andy Josephson
Representative Geran Tarr

MEMBERS ABSENT

Representative Benjamin Nageak, Co-Chair

COMMITTEE CALENDAR

HOUSE JOINT RESOLUTION NO. 18

Urging the United States Congress to pass the Improved National Monument Designation Process Act.

- MOVED CSHJR 18(RES) OUT OF COMMITTEE

HOUSE BILL NO. 153

"An Act expanding the Palmer Hay Flats State Game Refuge."

- MOVED CSHB 153(RES) OUT OF COMMITTEE

CONFIRMATION HEARING(S):

Fishermen's Fund Advisory & Appeals Council

Donald Stiles - Nome

- CONFIRMATION(S) ADVANCED

PREVIOUS COMMITTEE ACTION

BILL: HJR 18

SHORT TITLE: LIMIT DECLARATION OF NATL. MONUMENTS

SPONSOR(S): REPRESENTATIVE(S) MILLETT

03/16/15 (H) READ THE FIRST TIME - REFERRALS
03/16/15 (H) RES
03/30/15 (H) RES AT 1:00 PM BARNES 124

BILL: HB 153

SHORT TITLE: PALMER HAY FLATS GAME REFUGE
SPONSOR(S): REPRESENTATIVE(S) COLVER

03/20/15 (H) READ THE FIRST TIME - REFERRALS
03/20/15 (H) RES
03/30/15 (H) RES AT 1:00 PM BARNES 124

WITNESS REGISTER

JEFF TURNER, Staff
Representative Charisse Millett
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HJR 18 on behalf of the sponsor,
Representative Millett.

REPRESENTATIVE JIM COLVER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As the sponsor introduced HB 153.

DAVID SCOTT, Staff
Representative Jim Colver
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided information on HB 153 on behalf of
the sponsor, Representative Colver.

BRUCE DALE, Acting Director
Division of Wildlife Conservation
Alaska Department of Fish & Game (ADF&G)
Anchorage, Alaska

POSITION STATEMENT: Answered questions regarding HB 153.

ROD ARNO, Executive Director
Alaska Outdoor Council (AOC)
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 153.

TOM ROTHE, Duck Hunter
Eagle River, Alaska

POSITION STATEMENT: Testified in support of HB 153.

HERMAN GRIESE

Alaskans for Palmer Hay Flats State Game Refuge
Wasilla, Alaska

POSITION STATEMENT: Testified in support of HB 153 and suggested additional lands for inclusion in the bill.

LARRY ENGLE

Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 153.

BEN MULLIGAN, Legislative Liaison
Special Assistant to the Commissioner
Office of the Commissioner
Alaska Department of Fish & Game (ADF&G)
Anchorage, Alaska

POSITION STATEMENT: Answered questions related to HB 153.

DONALD STILES, Appointee
Fisherman's Fund Advisory and Appeals Council
Nome, Alaska

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

ACTION NARRATIVE

[1:33:49 PM](#)

CO-CHAIR DAVID TALERICO called the House Resources Standing Committee meeting to order at 1:33 p.m. Representatives Seaton, Josephson, Tarr, Johnson, Olson, Herron, and Talerico were present at the call to order. Representative Hawker arrived as the meeting was in progress.

HJR 18-LIMIT DECLARATION OF NATL. MONUMENTS

[1:35:00 PM](#)

CO-CHAIR TALERICO announced that the first order of business is HOUSE JOINT RESOLUTION NO. 18, Urging the United States Congress to pass the Improved National Monument Designation Process Act.

[1:35:23 PM](#)

JEFF TURNER, Staff, Representative Charisse Millett, Alaska State Legislature, explained that HJR 18 urges the U.S. Congress to pass the Improved National Monument Designation Process Act, S. 437, sponsored by U.S. Senator Lisa Murkowski and co-sponsored by U.S. Senator Dan Sullivan. He said S. 437 creates new requirements and limits the authority of the President of the United States to expand monuments under the 1906 Antiquities Act. Passed under the administration of Theodore Roosevelt, the Antiquities Act grants the President of the United States the power to create national monuments that protect and preserve important landmarks and environmentally sensitive areas using the smallest area necessary to preserve and protect the place under the monument. While the Antiquities Act has been used wisely to preserve some of America's most pristine and important areas, many things have changed over the last 100 years. There are more demands on public lands than ever and state and local economies need to be taken into consideration. Tourism, hunting, commercial and sport fishing, and natural resource development all take place on public lands. The time has come to make the process for creating national monuments more comprehensive. Senator Murkowski's bill, S. 437, makes three significant changes to the Antiquities Act. First, it requires specific authorization by an act of Congress to designate a national monument. Second, it requires approval by the state legislature where the monument would be located and, for marine national monuments, approval by each state legislature within 100 miles of the proposed monument. Third, it must conform to the National Environmental Policy Act (NEPA).

[1:37:29 PM](#)

MR. TURNER said S. 437 is important to Alaska because there are currently 142 national monuments. Ten of these monuments were created, and two more expanded, under the Obama Administration since starting its second term in January 2013. All of that happened without the approval of Congress or of the states where the monument was created. The last monument created in Alaska was by President Carter in 1978. Senator Murkowski filed this legislation because she is concerned about the potential for new monuments in Alaska that restrict or outright prohibit critical economic activity. Two possible sites are the Aleutian Islands and the Arctic National Wildlife Refuge (ANWR). It is known that President Obama will be in Alaska this summer, but it is unknown whether the purpose of the trip is to announce the creation of a new national monument. Alaska's two U.S. senators are so worried that this might happen that they have filed S. 437, which is the legislation that HJR 18 supports.

MR. TURNER directed attention to two articles in the committee packet, one an editorial from the Deseret News in Utah and the other from the Fairbanks News Miner, in which Senator Murkowski is quoted expressing her fear that President Obama will put the Arctic National Wildlife Refuge into permanent wilderness status and lock it up. He pointed out that Alaska does not have a Wall Street or a Silicon Valley, but it does have Prudhoe Bay, Kuparuk, Bristol Bay fisheries, Fort Knox, Greens Creek, and other natural resource extraction areas that fuel the state's economy and provide necessary resources like energy, minerals, and nutrition for the entire nation. He said S. 437 and HJR 18 are not seeking to stop new national monuments from being created; they are about improving the process for creating national monuments so the Alaska legislature and everyday Alaskans are made part of the public policy process when a new national monument is considered.

[1:40:13 PM](#)

REPRESENTATIVE JOSEPHSON recalled Mr. Turner mentioning hunting as one of the diversity of needs. He pointed out that Southeast Alaska's Admiralty Island is a national monument where there is a huge annual brown bear hunt, mostly commercially guided. He therefore surmised that hunts are allowed on some national monuments.

MR. TURNER replied he believes there is, but said there is always the potential under National Park Service rules or regulations where additional restrictions could be put in place.

REPRESENTATIVE JOSEPHSON pointed out that the Alaska National Interest Lands Conservation Act (ANILCA) is from 1980, while the Antiquities Act is 1906. He asked whether ANILCA trumps the Antiquities Act given that ANILCA is 74 years later and has a "no more" clause. He further asked whether there really is a risk of a monument designation in the 1002 Area within the Arctic National Wildlife Refuge.

MR. TURNER responded that Representative Millett, Senator Murkowski, and Senator Sullivan believe it is a real possibility and that is why they filed S. 437 and HJR 18. Even if it doesn't happen, there has been a lot of discontent in the western states regarding how the national monument process has been going forward. Currently in this country of 300 million people, 1 person can make this decision. While that person is the President of the United States, a lot has changed since the

Antiquities Act was put in place in 1906. This seeks to improve the process for creating national monuments.

[1:42:53 PM](#)

REPRESENTATIVE TARR inquired whether any other U.S. senators have co-sponsored S. 437.

MR. TURNER answered it has one co-sponsor, Senator Sullivan. The bill, filed February 10, 2015, was referred to Senator Murkowski's U.S. Senate Committee on Energy and Natural Resources, but hasn't yet been scheduled for a hearing. He said he assumes that some other western senators will sign on to the bill once the hearing process starts.

[1:43:41 PM](#)

REPRESENTATIVE HAWKER drew attention to HJR 18, page 2, line 10, which states: "... in February 2015, United States Senator Lisa Murkowski introduced" He inquired what the sponsor's thought would be to recognize that S. 437 was introduced by both Senator Murkowski and Senator Sullivan.

MR. TURNER replied he is sure Representative Millett would be fine with such an amendment.

[1:44:39 PM](#)

REPRESENTATIVE HAWKER moved to adopt Conceptual Amendment 1 to insert language on page 2, line 10, recognizing that S. 437 was introduced by Senator Lisa Murkowski and Senator Dan Sullivan. There being no objection, Conceptual Amendment 1 passed.

[1:45:40 PM](#)

CO-CHAIR TALERICO opened public testimony on HJR 18, then closed it after ascertaining that no one wished to testify.

[1:46:23 PM](#)

REPRESENTATIVE HAWKER moved to report HJR 18, as amended, out of committee with individual recommendations and the accompanying zero fiscal note.

[1:46:44 PM](#)

REPRESENTATIVE JOSEPHSON objected for purposes of discussion, saying he agrees with Mr. Turner's statement that logically as the nation's population grows over 300 million there is less land and more economic pressure. Some of these designations don't really impact economic development that severely, he said, and he thinks that this could really politicize passage of those. It is something that began with one of the greatest Republicans, President Theodore Roosevelt, who might see this differently. He recalled that while in law school he spent time studying the Grand Staircase-Escalante National Monument and remarked he would be interested to see what the objection is to that monument now, if any. He said there was objection when the monument was established by President Clinton because it stopped a French-owned coal mine, but he suspects there is a lot of tourism there. This is a special privilege of Presidents, Democrats and Republicans, he continued, and while this power should be used carefully it has been a great power and he thinks the United States is better for it. For example, there is Devil's Tower, the Statue of Liberty, Death Valley, Zion, and Arches. Some of these are now national parks that started as monuments. He said he has mixed feelings about HJR 18.

[1:48:52 PM](#)

REPRESENTATIVE SEATON pointed out that the second to last paragraph in the sponsor statement states that S. 437 would require approval by each state legislature, and for marine national monuments, approval by each state legislature within 100 miles. However, he noted, this is not included within HJR 18 so it isn't quite parallel with the federal bill. He said he supports moving HJR 18.

[1:49:47 PM](#)

REPRESENTATIVE JOSEPHSON withdrew his objection. There being no further objection, CSHJR 18(RES) was reported from the House Resources Standing Committee.

The committee took an at-ease from 1:50 p.m. to 1:54 p.m.

HB 153-PALMER HAY FLATS GAME REFUGE

[1:54:45 PM](#)

CO-CHAIR TALERICO announced that the next order of business is HOUSE BILL NO. 153, "An Act expanding the Palmer Hay Flats State Game Refuge."

1:55:15 PM

REPRESENTATIVE JIM COLVER, Alaska State Legislature, as the sponsor introduced HB 153, explaining it would expand the boundary of the Palmer Hay Flats State Game Refuge. He said the refuge was established in 1975 by the legislature and is an area where the [1964] earthquake caused the land to drop two feet, so what was once uplands became lowlands and wetlands. He said the bill simply incorporates about 1,360 acres that were donated and acquired between 1989 and 2013. Drawing attention to the maps in the committee packet, he said the lands with [red hatching] are the lands described and that would be added to the refuge by the bill. He noted that the legal description has been vetted four times and reviewed by the survey section at the Department of Natural Resources (DNR). He said the area is important habitat for waterfowl, shorebirds, and a number of species of salmon and fish, as well as important winter range for moose. A number of different user groups use the area, including hunters, recreationists, and trappers, plus there is an advocacy group called Alaskans for Palmer Hay Flats State Game Refuge. He said there has been no opposition to the bill and there is support from outdoor organizations, the Board of Game, local elementary school kids, and the Alaska Department of Fish & Game (ADF&G). He further pointed out that the bill has a zero fiscal note and that a proposed committee substitute cleans up the legal descriptions that are in the original bill.

1:59:25 PM

REPRESENTATIVE HAWKER moved to adopt the proposed committee substitute (CS), labeled 29-LS0653\H, Bullard, 3/28/15, as the working document. There being no objection, Version H was before the committee.

1:59:56 PM

REPRESENTATIVE COLVER explained the proposed changes that Version H would make to the original bill. He drew attention to page 2, line 15, of the original bill which states "Section 28" and noted that Version H, lines 15-16, clean up the language for within Section 28 of Township 17 North, Range 1 East, Seward Meridian, Lots 1-2, by adding the north half of the southwest quarter to the string of legal descriptions. This is a description of some of the new lands added. He then drew attention to page 3 of Version H, lines 11, 15, and 18, which correctly state "U.S. Survey No. 9023". He explained that this

survey number had transposed digits in the original bill and that this survey was done for the conveyance of the railroad from the federal government to the state.

DAVID SCOTT, Staff, Representative Jim Colver, Alaska State Legislature, added that Legislative Legal and Research Services is a little wary of these kinds of bills and wants them double-checked multiple times by the various state departments.

[2:02:26 PM](#)

REPRESENTATIVE JOHNSON inquired whether access to private land would be blocked by adding the new land to the refuge.

REPRESENTATIVE COLVER replied he does not believe so. He said that as far as he knows there is no limitation to access and moving around within this state land. It is simply that it is designated as a game refuge.

REPRESENTATIVE JOHNSON asked whether any of the refuge land is off limits to motorized vehicles.

REPRESENTATIVE COLVER deferred to ADF&G, but said he doesn't think so because otherwise the Alaska Outdoor Council would not have endorsed the bill and the council's letter of support references this.

REPRESENTATIVE JOHNSON specified he wants to be cautious that there is no blocking of access to private land.

BRUCE DALE, Acting Director, Division of Wildlife Conservation, Alaska Department of Fish & Game (ADF&G), responded that to the department's knowledge there is no access blocked and that is not the intent of the department. There should be free access to any inholdings.

[2:04:36 PM](#)

REPRESENTATIVE SEATON asked whether ADF&G or DNR has control of the access, rights-of-way, and winter trails.

MR. DALE answered that snow machines are authorized from November 9 to March 31 as long as there is sufficient snow cover, and they can go anywhere they want. Four wheelers are authorized on designated trails only and there are numerous access points. There are some restrictions on outboard motor horsepower on some of the waterways.

REPRESENTATIVE SEATON said he wants to make it clear that DNR does have restrictions for overland permits on any wetlands and generally it is winter compatible.

2:05:50 PM

REPRESENTATIVE TARR observed from the map that the parcel that would be added on the east side of the refuge has privately owned parcels abutting it on the south side. Noting that land acquisition has been ongoing for a decade or more, she inquired whether there will be an effort going forward to try to bring these other private lands into the refuge.

MR. DALE replied he does not know of any efforts to bring those particular lands into the refuge at this time.

2:07:07 PM

CO-CHAIR TALERICO opened public testimony.

ROD ARNO, Executive Director, Alaska Outdoor Council (AOC), testified in support of HB 153 with the correction on the boundaries. He noted that this area is on the edge of urban sprawl and for that reason AOC supports adding this additional protection of the areas that have been acquired. The addition on the west side of lands up to Cottonwood Creek is a very important access point for folks who hunt waterfowl and fish in the Hay Flats area. This is important critical habitat for protection, he said, and AOC supports that and supports the management of access on that land.

2:09:12 PM

TOM ROTHE, Duck Hunter, testified in support of HB 153, explaining he is a duck hunter and frequent Hay Flats user. He urged the committee and the entire legislature to support this bill because it clarifies things that have been lingering in terms of management for a number of years. He is retired from ADF&G after 25 years and part of what he did for ADF&G's waterfowl program was to work with refuges and local landowners to acquire some of these parcels in partnership with many other entities. The purpose was largely to provide legal access to the refuge. For example, Cottonwood Creek was secured and is a legal access point. The property on the east side of the refuge is the primary access point and was private land prior to its acquisition. These parcels have been really important in

securing easy ways for the public to get in and ADF&G has done a nice job of starting to improve those for users. A total of 2,400 acres has been acquired since 1990 and much of that is tremendous habitat for waterfowl, moose, and salmon. All of these acquisitions were done pretty much without the benefit of appropriated funds from the state. Partners and federal wetland grants brought over \$1.4 million to the table for the benefit of Alaskans. He offered his appreciation for Co-Chair Talerico's bill for license fee increases [HB 137] because the fees for duck stamps are applied for these kinds of things - seed money to put together packages to get good habitat and public access. Mr. Rothe pointed out that the landowners were all willing and for the most part the properties are largely unbuildable because they are wetlands. So, when approached, those folks received good value for their properties as well as tax benefits in those cases where there were donations. If included in the refuge, these new acquisitions will not create any more restrictions on those lands than is currently available. The refuge is managed under a well-written management plan that looks at all the uses that have been negotiated over the years with the public through the public process. It sets up a regime to both protect habitat and allow public uses. The most important parts of this bill are that it fulfills promises made to those partners who stepped up and put in over a million dollars, plus it consolidates management authority in terms of enforcement, habitat enhancement projects, or other things. He drew attention to the letter of support from the Board of Game.

REPRESENTATIVE HAWKER thanked Mr. Rothe for his thorough and convincing testimony.

[2:14:23 PM](#)

HERMAN GRIESE, Alaskans for Palmer Hay Flats State Game Refuge, testified in support of HB 153, saying his group has been involved in the refuge for over 10 years trying to clean up the trash and car bodies that were strewn throughout the access points on the refuge. His group worked with granting agencies to work with ADF&G to improve the access sites. For example, along the Glenn Highway at the Reflections Lake turnout his group is finishing a wildlife observation tower that will be turned over to the state. The goal of his group is to maintain opportunity for access by hunters, fishers, and trappers, as well as by children from local schools for educational opportunities. Another goal is to maintain the habitat value for the wildlife and fisheries resources on the refuge. He said his group enthusiastically supports this legislation. About 75

families and 25 donors are members of the group and have provided many dedicated hours and about \$800,000 has been invested in the refuge to try to improve the looks, access, and opportunities. Mr. Griese pointed out that there are two particular sites. The primary access site on the west side is at Cottonwood Creek and is under a DNR Interagency Land Management Agreement (ILMA). Some of those investments and access are still on that Interagency Land Management Agreement (ILMA) land. He urged that these [ILMA] lands be added to the boundary, saying that letters have been sent to the governor in the past and, thanks to Mr. Rothe, people are now at the table discussing that. Another site is on the eastern side. It can be seen on the map that the boundary for the new change includes several channels that are now dry for the most part and it would be good if a line could be drawn across those channels and include them as well. They were considered part of an omission in the past because of wetland or water issues. But things are changing as it is a very dynamic area and decades down the road more changes will be looked at as well.

[2:18:24 PM](#)

REPRESENTATIVE HAWKER, regarding Mr. Griese's concerns about improving the quality of access as part of this legislation by bringing in this additional land, asked whether conversations have been held with ADF&G or other state folks who would make those recommendations to the legislature.

MR. GRIESE responded that his organization has been working very closely with ADF&G, which is the regulatory agency on the access for all these sites. He said there hasn't been any controversy except for some of the areas where there is increasing use of all-terrain vehicles on an existing and allowable trail. A proposal is currently being looked at to deal with repairing some of that damage, otherwise there is very close working cooperation with ADF&G on that.

[2:19:46 PM](#)

REPRESENTATIVE TARR inquired whether the east side site mentioned by Mr. Griese is a site currently under consideration.

MR. GRIESE answered that the area on the eastern end is not in the current legislation. It has been proposed in years past and his organization has written letters requesting that boundary change. He said it's difficult to advise individuals entering that eastern side as to where they are in the refuge because

there are islands of land that are in the refuge and channels that are not. Now that it is all dry there is access in those areas and people wanting to recreate there would like to know whether or not they are in the refuge.

[2:20:59 PM](#)

LARRY ENGLE testified in support of HB 153, saying he is a long-time user of the Palmer Hay Flats, including from before it was designated a refuge. He noted that many of the things he was going to bring up have already been discussed very clearly, particularly Mr. Rothe's and Mr. Griese's discussions, so he won't go into those details. He pointed out that many people are unaware of HB 153, but that Proposal 105 submitted to the Board of Game by Mr. Rothe did receive ample review by the public throughout the state. Virtually everything he has heard is positive for adding these fragmented lands to the refuge. School kids have written letters, as have organizations, individuals, and local advisory committees. He concluded by reading from remarks made by ADF&G to the Board of Game: "Adoption of this proposal would not result in significant cost to the department. Instead, it may result in cost savings by increasing management efficiency."

[2:23:42 PM](#)

CO-CHAIR TALERICO closed public testimony after ascertaining that no one else wished to testify. He opened committee discussion on the bill.

[2:24:20 PM](#)

REPRESENTATIVE HAWKER inquired as to what ADF&G thinks of the testimony suggesting there may be additional fragmented lands in both the eastern and western access areas that ought to be considered for inclusion in HB 153.

MR. DALE replied that the division and the department have suggested legislation in the past to include those lands. When there is inconsistency in land ownership it makes it difficult for both staff and the public to know where they are at and which rules apply. Thus, including anything within the boundary of the refuge would be supported.

REPRESENTATIVE HAWKER asked why that wasn't included in this particular bill given that legislation has been submitted in the past.

MR. DALE offered his belief that the proposal submitted to the Board of Game by Mr. Rothe did not include additional lands and the board voted on the proposal as written.

BEN MULLIGAN, Legislative Liaison, Special Assistant to the Commissioner, Office of the Commissioner, Alaska Department of Fish & Game (ADF&G), confirmed the department has considered legislation, but explained that Mr. Rothe's proposal was for the lands that ADF&G knew were firm and had been vetted for knowing that they are deed restricted. The Interagency Land Management Agreement (ILMA) lands are still being discussed and are now DNR general state lands, but ADF&G hasn't reached a point to be comfortable enough to say yes for certain and go to the sponsor, but it is definitely a conversation that will be had.

[2:26:43 PM](#)

REPRESENTATIVE HAWKER inquired whether ADF&G is comfortable with those additional lands at this time.

MR. MULLIGAN replied not enough to suggest putting them in now. The department needs to have an internal conversation and then talk with the sponsor.

REPRESENTATIVE HAWKER inquired as to what happened with the previous legislation that had proposed to do just that.

MR. MULLIGAN responded that no legislation had actually been introduced, Mr. Dale was referencing ADF&G's own internal ideas and not anything official into the legislature.

[2:27:55 PM](#)

CO-CHAIR TALERICO stated his intention to move the bill, noting that the remarks have been very positive.

[2:29:39 PM](#)

REPRESENTATIVE HERRON moved to report Version H, the proposed committee substitute labeled 29-LS0653\H, Bullard, 3/28/15, out of committee with individual recommendations and the accompanying [zero] fiscal note. There being no objection, CSHB 153(RES) was reported from the House Resources Standing Committee.

The committee took an at-ease from 2:30 p.m. to 2:32 p.m.

CONFIRMATION(S): Fisherman's Fund Advisory and Appeals Council

[2:32:56 PM](#)

CO-CHAIR TALERICO announced that the final order of business is the confirmation hearing for Mr. Donald Stiles, appointee to the Fisherman's Fund Advisory and Appeals Council.

[2:33:33 PM](#)

DONALD STILES, Appointee, Fisherman's Fund Advisory and Appeals Council, stated he has been a commercial fisherman for nearly 40 years and is interested in serving a second term on the council. He said he appreciates the gentlemen and staff he works with on the council and it has been a pleasure serving so far.

[2:34:36 PM](#)

REPRESENTATIVE JOSEPHSON asked what the council does.

MR. STILES replied the council reviews medical claims that are above the \$10,000 limit and decides whether a claim is legitimate. It requires some fishing experience to determine whether or not the claim is fisheries related. Over the history of the Alaska Commercial Fishermen's Fund, people have used it more as their personal insurance and that is not the purpose of that fund. So, the council's effort is to protect that fund.

REPRESENTATIVE JOSEPHSON inquired whether the Alaska Commercial Fishermen's Fund is a carve-out of the Alaska Workers' Compensation law.

REPRESENTATIVE OLSON responded no, it is not.

REPRESENTATIVE SEATON explained that the Alaska Commercial Fishermen's Fund is a dedicated fund that was established before statehood. It is comprised of payments made by everyone who is in commercial fisheries and a portion of those commercial fishery license fees goes into the fund. The fund ensures that fishermen injured on the job have recourse and is something like workers' compensation, but is totally separate.

MR. STILES confirmed that Representative Seaton explained it correctly.

[2:37:14 PM](#)

REPRESENTATIVE HERRON asked what Mr. Stiles' occupational specialty was while in the U.S. Marine Corps.

MR. STILES answered aviation ordinance.

[2:37:32 PM](#)

REPRESENTATIVE TARR inquired whether the committee received the typical application for this type of appointment or whether the one-page sheet in the committee packet is all that there is.

CO-CHAIR TALERICO replied that the one-page sheet is all that has been received. Responding further, he informed Representative Tarr that this is a reappointment for Mr. Stiles.

[2:38:15 PM](#)

REPRESENTATIVE JOSEPHSON commented that there are Jones Act remedies, workers' compensation, and the fishermen's fund, so he has a lot of learning to do about how they mesh.

[2:38:37 PM](#)

CO-CHAIR TALERICO opened public comment on the reappointment of Mr. Stiles, then closed it after ascertaining that no one wished to testify.

[2:39:07 PM](#)

REPRESENTATIVE OLSON explained that the Alaska Commercial Fishermen's Fund applies when there is nothing else there - when there is not protection, indemnity, or longshoremen or harbor workers, or anything else in lieu of.

REPRESENTATIVE SEATON said it used to have a cap of \$2,500 that has now been raised to \$10,000.

MR. STILES confirmed the cap has been raised to \$10,000.

REPRESENTATIVE JOSEPHSON concluded it is the backup to the backup, the last resort.

[2:39:55 PM](#)

REPRESENTATIVE HAWKER noted that moving forward a name to the joint legislative session for purposes of confirmation does not

reflect the intent of any member on the committee to either support or not support that appointee at the time of the legislative session. He moved to advance the name of Mr. Donald L. Stiles to a joint legislative session for the purpose of considering his confirmation to the Fisherman's Fund Advisory and Appeals Council. There being no objection, Mr. Stiles' name was forwarded.

The committee took an at-ease from 2:40 p.m. to 2:43 p.m.

[2:43:08 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:43 p.m.