

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES

March 12, 2019

11:03 a.m.

MEMBERS PRESENT

Representative Louise Stutes, Chair
Representative Bryce Edgmon
Representative Chuck Kopp
Representative Jonathan Kreiss-Tomkins
Representative Geran Tarr
Representative Sarah Vance
Representative Lance Pruitt

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 35

"An Act relating to participation in matters before the Board of Fisheries and the Board of Game by the members of the respective boards; and providing for an effective date."

- MOVED CSHB 35(FSH) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 35

SHORT TITLE: CONFLICT OF INTEREST: BD FISHERIES/GAME

SPONSOR(S): REPRESENTATIVE(S) STUTES

02/20/19	(H)	READ THE FIRST TIME - REFERRALS
02/20/19	(H)	FSH, RES
03/07/19	(H)	FSH AT 10:00 AM GRUENBERG 120
03/07/19	(H)	Heard & Held
03/07/19	(H)	MINUTE(FSH)
03/12/19	(H)	FSH AT 11:00 AM GRUENBERG 120

WITNESS REGISTER

MATT GRUENING, Staff
Representative Louise Stutes
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: On behalf of Representative Stutes, prime sponsor, provided information on HB 35.

FRANCES LEACH, Executive Director
United Fishermen of Alaska
Juneau, Alaska

POSITION STATEMENT: Testified in favor of HB 35.

JERRY MCCUNE, Board President
Cordova District Fishermen United
Cordova, Alaska

POSITION STATEMENT: Testified in favor of HB 35.

MARK RICHARDS, Executive Director
Resident Hunters of Alaska
Fairbanks, Alaska

POSITION STATEMENT: Testified in favor of HB 35.

ACTION NARRATIVE

[11:03:03 AM](#)

CHAIR LOUISE STUTES called the House Special Committee on Fisheries meeting to order at 11:03 a.m. Representatives Kreiss-Tompkins, Vance, Pruitt, Kopp and Stutes were present at the call to order. Representatives Edgmon and Tarr arrived as the meeting was in progress.

HB 35-CONFLICT OF INTEREST: BD FISHERIES/GAME

[11:04:05 AM](#)

CHAIR LOUISE STUTES announced the only order of business would be HOUSE BILL NO. 35, "An Act relating to participation in matters before the Board of Fisheries and the Board of Game by the members of the respective boards; and providing for an effective date."

[Before the committee was the proposed committee substitute (CS), Version 31-LS0297\M, Bullard, 3/4/19, adopted as the working document on 3/7/19.]

[11:05:05 AM](#)

MATT GRUENING, Staff, Representative Louise Stutes, Alaska State Legislature, on behalf of Representative Stutes, prime sponsor of HB 35, referenced page 4 of the document in the committee packet titled "Background Information on the Alaska Boards of Game and Fisheries Ethics Act Process," dated 3/6/19, and shared statistics highlighting how often board members were conflicted out of deliberating on board issues. He stated that the bill was a request from the user groups to address a specific problem. He said there were two new letters of support for the bill and that all letters regarding HB 35 were in support. He noted that in response to changes in the proposed committee substitute, the Resident Hunters of Alaska has removed its letter of opposition and replaced it with a letter of support.

[11:06:42 AM](#)

CHAIR STUTES opened invited testimony.

FRANCES LEACH, Executive Director, United Fishermen of Alaska, spoke as follows:

We represent 35 commercial fishing organizations and hundreds of fishermen and crewmembers participating in fisheries off of Alaska's coastal waters. Thank you for giving me this opportunity today to speak on behalf of HB 35. This is an extremely important bill to United Fishermen of Alaska, and one that we have supported for a very long time. If you have ever had the opportunity to attend a Board of Fisheries meeting, then you know how important passage of this bill is. Board members are chosen because they pertain certain expertise in their region or fishery. At this time, when the board is deliberating on a proposal, board members who have ... that expertise on a subject are often not permitted to participate due to conflicting out.

Prior to being the Executive Director of United Fishermen, I had the pleasure of working for the Board of Fisheries as a Department of Fish and Game board-support staff member. I have participated in over 50 Board of Fisheries meetings. And I have sat far too many times at these meetings where a board member conflicts out and is forced to sit in the back of the room while the remaining board members at the table struggle to comprehend the nuances of the proposals, when the board member who holds the answer is muted in

the back of the room. By allowing members to participate fully in deliberations, this not only builds a better record and helps assist the board members in their decision, it also makes for a more transparent discussion that is clearly established on the record.

We want to encourage people who pertain expertise to be on the board of fisheries and game but as this law currently sits people are discouraged from putting their names forward because they know they would conflict out of many of the deliberations. We want a strong and skilled Board of Fisheries and Board of Game and transparent deliberations. This bill will allow for that. Thank you for this opportunity to testify.

[11:09:14 AM](#)

JERRY MCCUNE, President, Cordova District Fishermen United, commented that Ms. Leach had done a good job laying out the issues. He described board members he knew and the variety of reasons they had conflicted out of board meetings. He spoke in support of HB 35.

[11:11:40 AM](#)

CHAIR STUTES opened public testimony on HB 35.

[11:11:44 AM](#)

MARK RICHARDS, Executive Director, Resident Hunters of Alaska mentioned his organization did not have the proposed CS, Version M, before last week, which contributed to the organization's original letter of opposition. Once his organization received the proposed CS, its members were happy to support the bill.

[11:13:22 AM](#)

CHAIR STUTES closed public testimony on HB 35.

REPRESENTATIVE PRUITT agreed with the ability of a board member to share his/her knowledge but requested that the House Special Committee on Fisheries intentions be clear. He offered that the intent of the committee's discussion regarding HB 35 was not that a board member could influence a decision that could benefit himself/herself, but that the board member be able to

bring his/her expertise to the discussion and that is where it ends.

[11:15:10 AM](#)

REPRESENTATIVE KOPP clarified that he thought Representative Pruitt was referencing undue influence regarding a person's personal benefit versus a collective benefit that would apply to a broader group.

REPRESENTATIVE PRUITT responded in the affirmative and explained that a board member should be able to share his/her knowledge for the benefit of a group of people, but not for his/her own personal benefit. He concluded that the bill did not change that aspect of current law.

[11:16:32 AM](#)

REPRESENTATIVE KOPP moved to report the proposed CS for HB 35, Version 35LS0297\M, Bullard, 3/4/19, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 35(FSH) was reported from the House Special Committee on Fisheries.

[11:17:26 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 11:17 a.m.