

ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE

February 8, 2019

3:30 p.m.

MEMBERS PRESENT

Senator Chris Birch, Chair
Senator John Coghill, Vice Chair
Senator Cathy Giessel
Senator Lora Reinbold
Senator Scott Kawasaki
Senator Jesse Kiehl

MEMBERS ABSENT

Senator Click Bishop

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Fishermen's Fund Advisory & Appeals Council
Marilyn Charles - Emmonak
Moses Toyukak, Sr. - Manokotak

- CONFIRMATIONS ADVANCED

Big Game Commercial Services Board
Tom Harris - Anchorage
Jason Bunch - Kodiak
Cash Joyce - Wasilla

- CONFIRMATIONS ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

MARILYN CHARLES, Appointee
Fishermen's Fund Advisory and Appeals Council
Alaska Department of Labor and Workforce Development
Emmonak, Alaska

POSITION STATEMENT: Testified on her appointment to the council.

THOMAS HARRIS, Appointee
Big Game Commercial Services Board
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified on his appointment to the board.

JASON BUNCH, Appointee
Big Game Commercial Services Board
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Kodiak, Alaska

POSITION STATEMENT: Testified on his appointment to the board.

MOSES TOYUKAK, SR., Appointee
Fishermen's Fund Advisory and Appeals Council
Alaska Department of Labor and Workforce Development
Manokotak, Alaska

POSITION STATEMENT: Testified on his appointment to the council.

WAYNE KUBAT, Vice President
Alaska Professional Hunters Association
Wasilla, Alaska

POSITION STATEMENT: Testified in support of Jason Bunch, Cash Joyce, and Tom Harris for the Big Game Commercial Services Board.

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

POSITION STATEMENT: Provided appointment testimony in support of Jason Bunch and Tom Harris, and in opposition of Cash Joyce for the Big Game Commercial Services Board.

CASH JOYCE, Appointee
Big Game Commercial Services Board
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Wasilla, Alaska

POSITION STATEMENT: Testified on his appointment to the board.

ACTION NARRATIVE

[3:30:13 PM](#)

CHAIR CHRIS BIRCH called the Senate Resources Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Kiehl, Giessel, Reinbold, Coghill, and Chair Birch.

CONFIRMATION HEARING(S)
Fishermen's Fund Advisory and Appeals Council
Big Game Commercial Services Board

[3:30:56 PM](#)

CHAIR BIRCH announced that the purpose of the Senate Resources Standing Committee meeting is to review the governor's appointments to two boards, the Fishermen's Fund Advisory and Appeals Council, and the Big Game Commercial Services Board.

He said the committee will first address the Fishermen's Fund Advisory and Appeals Council. The council consults with the commissioner of the Department of Labor and Workforce Development regarding appeals filed in relation to the care of sick and disabled fishermen.

[3:31:03 PM](#)

SENATOR KAWASAKI joined the committee meeting.

[3:32:07 PM](#)

At ease.

[3:32:50 PM](#)

CHAIR BIRCH called the committee back to order.

[3:33:11 PM](#)

MARILYN CHARLES, Appointee, Fishermen's Fund Advisory and Appeals Council, Alaska Department of Labor and Workforce Development, Emmonak, Alaska, provided her educational and work background to committee members, noting her experience with insurance claims and interaction with the fishing industry in Emmonak.

[3:36:27 PM](#)

SENATOR GIESSEL asked if she has attended or watched a Fishermen's Fund Advisory and Appeals Council meeting online.

MS. CHARLES answered no. She noted that she interned for U.S. Senator Frank Murkowski.

CHAIR BIRCH thanked Ms. Charles for her testimony and willingness to serve.

[3:38:57 PM](#)

At ease.

[3:39:34 PM](#)

CHAIR BIRCH called the committee back to order.

[3:40:43 PM](#)

At ease.

[3:42:08 PM](#)

CHAIR BIRCH called the committee back to order.

[3:42:21 PM](#)

THOMAS HARRIS, appointee, Big Game Commercial Services Board, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community, and Economic Development, Anchorage, Alaska, explained that he was appointed to the landowner seat. He provided information to committee members on his educational and work experience, noting that he currently serves as CEO for Kniknatnu, Inc. He said Alaska was once known as "The wildlife treasure of America" during the Territorial Days, but the state was documented in 2004 as the least productive wildlife hunter-harvest state in the nation for hoofed wildlife. He shared data on the state's declining hoofed wildlife harvest.

[3:45:30 PM](#)

SENATOR GIESSEL noted that Mr. Harris was appointed to the board in September and asked what his impression is of the board.

MR. HARRIS replied that he has enjoyed meeting the professionals at the council. He said while he does not have a hunting license, he greatly respects the hunters and the work they do. He opined that Alaska is missing a lot of resources that have been made available to other states. Alaska's guides are operating in a depleted resource that needs to be restored; they need to be given the tools as well as partnering with the state, federal government, and private landowners to make that happen.

CHAIR BIRCH thanked Mr. Harris for his willingness to serve on the board.

[3:47:25 PM](#)

At ease.

[3:48:54 PM](#)

CHAIR BIRCH called the committee back to order.

[3:49:11 PM](#)

JASON BUNCH, appointee, Big Game Commercial Services Board, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community, and Economic Development, Kodiak, Alaska, provided information to committee members on his educational, personal background, and work experience.

He said he has been attending board meetings, has participated in the board's subcommittee process since 2011, and was appointed to the board's vacant registered guide seat in 2018.

He detailed "successful" board results from the past 10 months as follows:

- Finished a complete update to the registered guide outfitter exam and continue work on regulations.
- Worked with land managers, state law enforcement, and licensees to draft and adopt multiple position statements to clarify various statutes and regulations.
- Reviewed and commented on multiple bills regarding big game guiding and transporting.
- Reviewed multiple statutes and regulations to further clarify and improve efficiencies.
- Witnessed the efforts of licensees in the division to eliminate the inherited \$1 million deficit.

SENATOR GIESSEL commended Mr. Bunch for the board's work in the remediation of its deficit. She asked what current challenges the board is facing.

MR. BUNCH answered that small investments will be needed to increase efficiency.

SENATOR REINBOLD commended Mr. Bunch for the time commitment he has made to the board and subcommittee.

MR. BUNCH replied the guiding is important and provides revenue to the state. The board's duty is to ensure that the guiding profession is held to a high standard.

[3:54:47 PM](#)

MOSES TOYUKAK, SR., appointee, Fishermen's Fund Advisory and Appeals Council, Alaska Department of Labor and Workforce Development, Manokotak, Alaska, said he is a fisherman and Manokotak is fishing community that practices a subsistence way of life. He noted that he has been involved with Manokotak's city council for more than 40 years, 20 years as mayor. He added that he has testified at a few council meetings.

SENATOR GIESSEL addressed Mr. Toyukak's background and noted his involvement in the community and fishing industry. She asked what drew him to apply to the Fishermen's Fund Advisory and Appeals Council.

MR. TOYUKAK replied that the governor selected him.

SENATOR GIESSEL opined that the governor must have seen a lot of good qualities in Mr. Toyukak as well as his impressive history in the fishing industry and in Alaska.

[4:00:08 PM](#)

At ease.

[4:04:45 PM](#)

CHAIR BIRCH called the committee back to order.

[4:05:20 PM](#)

CHAIR BIRCH opened public testimony.

[4:05:26 PM](#)

WAYNE KUBAT, Vice President, Alaska Professional Hunters Association (APHA), Wasilla, Alaska, testified in support of Jason Bunch, Cash Joyce, and Tom Harris for the Big Game Commercial Services Board.

[4:07:14 PM](#)

MARK RICHARDS, Executive Director, Resident Hunters of Alaska (RHAK), Fairbanks, Alaska, provided appointment testimony in support of Jason Bunch and Tom Harris, and in opposition of Cash Joyce for the Big Game Commercial Services Board. RHAK opposes Mr. Joyce's reappointment due to his conflict of interest for holding both a guide and transporter license while serving on the board. RHAK believes that there needs to be a clear delineation between the guide and transporter board seats.

[4:10:31 PM](#)

At ease.

[4:10:58 PM](#)

CHAIR BIRCH called the committee back to order and closed public testimony.

SENATOR GIESSEL asked if Chair Birch will offer appointees and opportunity for closing comments.

CHAIR BIRCH answered yes. He asked appointees who chose to address the committee to proceed with their closing comments.

MR. TOKYKAK summarized that if elected he will be willing to serve on the Fishermen's Fund Advisory and Appeals Council.

MS. CHARLES summarized that if accepted she will be ready and willing to serve on the Fishermen's Fund Advisory and Appeals Council.

MR. HARRIS summarized that he is committed to rebuilding wildlife habitat and bringing wildlife populations back up again by serving on the Big Game Commercial Services Board.

[4:14:50 PM](#)

At ease.

[4:24:32 PM](#)

CHAIR BIRCH called the committee back to order.

[4:25:11 PM](#)

CASH JOYCE, appointee, Big Game Commercial Services Board, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community, and Economic Development, Wasilla, Alaska, explained that he served on the board in 2018 as a designee for the board's transporter position. He confirmed that he owns both a guiding business and an "on demand" air taxi service company. He said he wished to quell any confusion about his conflict of interest on the Big Game Commercial Services Board. He noted his recent service on the board has gained him a working knowledge of policy making amongst varying opinions.

SENATOR KIEHL asked him to address what his income percentage is from his guide operations and his transporter business.

MR. JOYCE replied that his income from his two businesses is 50:50. He disclosed that he flies for other aircraft operators as well.

[4:28:25 PM](#)

SENATOR COGHILL remarked that he has only heard good things about Mr. Joyce. He noted that the question brought up in public testimony addressed the board's transporter seat versus the other seat. He asked how the tension between the seats could occur.

MR. JOYCE answered that some will see a conflict of interest because he might vote on behalf of the guiding industry versus the transport industry. He said he makes money from his guiding business, but his equity and capital are tied to his transporting business.

SENATOR COGHILL noted that legislators are continually questioned about designated areas for big game guides and transporters. He asked Mr. Joyce to comment.

MR. JOYCE answered that he questioned "designated areas" when the federal government issues air certificates that does not regulate air commerce location.

SENATOR COGHILL noted that guide concessions for designated areas always comes up. He explained that increased wildlife abundance versus guide concessions and transportation is an issue. He opined that Mr. Joyce has answered his questions well enough to demonstrate the he can disseminate between guiding and transporting to serve on the board.

CHAIR BIRCH thanked Mr. Joyce for his testimony.

[4:34:36 PM](#)

CHAIR BIRCH stated that in accordance with AS 39.05.080, the Senate Resources Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Fishermen's Fund Advisory and Appeals Council

Moses Toyukak, Sr. - Manokotak

Marilyn Charles - Emmonak

Big Game Commercial Services Board

Jason Bunch - Kodiak

Cash Joyce - Wasilla

Thomas Harris - Anchorage.

He reminded members that signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees;

the nominations are merely forwarded to the full legislature for confirmation or rejection.

[4:35:26 PM](#)

At ease.

[4:36:34 PM](#)

CHAIR BIRCH called the committee back to order.

[4:37:22 PM](#)

There being no further business to come before the committee, Chair Birch adjourned the Senate Resources Standing Committee meeting at 4:37 p.m.