

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

March 17, 2025

1:04 p.m.

MEMBERS PRESENT

Representative Robyn Niayuq Burke, Co-Chair
Representative Maxine Dibert, Co-Chair
Representative Carolyn Hall
Representative Donna Mears
Representative Zack Fields
Representative Dan Saddler
Representative George Rauscher
Representative Julie Coulombe
Representative Bill Elam

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Ted Eischeid

COMMITTEE CALENDAR

CONFIRMATION HEARING(S) :

Alaska Oil and Gas Conservation Commission

Jessie Chmielowski - Anchorage

- CONFIRMATION(S) HELD

Big Game Commercial Services Board

Aaron Bloomquist - Palmer
Martin Boniek - Nelchina
Keegan McCarthy - Juneau, Alaska

- CONFIRMATION(S) HELD

State Assessment Review Board

Samuel Laffey - Anchorage

- CONFIRMATION(S) HELD

HOUSE BILL NO. 33

"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 HB 33 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 33

SHORT TITLE: CONFLICT OF INTEREST: BD FISHERIES/GAME

SPONSOR(s): REPRESENTATIVE(s) STUTES

01/22/25	(H)	PREFILE RELEASED 1/10/25
01/22/25	(H)	READ THE FIRST TIME - REFERRALS
01/22/25	(H)	FSH, RES
02/18/25	(H)	FSH AT 10:00 AM GRUENBERG 120
02/18/25	(H)	Moved HB 33 Out of Committee
02/18/25	(H)	MINUTE(FSH)
02/19/25	(H)	FSH RPT 7DP
02/19/25	(H)	DP: VANCE, KOPP, EDGMON, HIMSCHOOT, ELAM, MCCABE, STUTES
02/28/25	(H)	RES AT 1:00 PM BARNES 124
02/28/25	(H)	Heard & Held
02/28/25	(H)	MINUTE(RES)
03/10/25	(H)	RES AT 1:00 PM BARNES 124
03/10/25	(H)	-- MEETING CANCELED --
03/17/25	(H)	RES AT 1:00 PM BARNES 124

WITNESS REGISTER

JESSIE CHMIELOWSKI, Appointee
Alaska Oil and Gas Conservation Commission
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Oil and Gas Conservation Commission.

AARON BLOOMQUIST, Appointee
Big Game Commercial Services Board
Palmer, Alaska

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

MARTIN BONIEK, Appointee
Big Game Commercial Services Board

Nelchina, Alaska

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

KEEGAN MCCARTHY, Appointee
Big Game Commercial Services Board
Juneau, Alaska

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

SAMUEL LAFFEY, Appointee
State Assessment Review Board
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the State Assessment Review Board.

JERRY MCCUNE, Government Relations
Commercial Fisheries Hatcheries
Cordova, Alaska

POSITION STATEMENT: Testified in support of HB 33.

TRACY WELCH, Executive Director
United Fishermen of Alaska
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 33.

NELS EVANS, Executive Director
Petersburg Vessel Owner's Association
Petersburg, Alaska

POSITION STATEMENT: Testified in support of HB 33.

LINDA BEHNKEN, Executive Director
Alaska Longline Fishermen's Association
Sitka, Alaska

POSITION STATEMENT: Testified in support of HB 33.

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

POSITION STATEMENT: Testified in support of HB 33.

SUSAN DOHERTY, General Manager
Southern Southeast Regional Aquaculture Association
Ketchikan, Alaska

POSITION STATEMENT: Testified in support of HB 33.

MALCOLM MILNE, President

North Pacific Fisheries Association
Homer, Alaska

POSITION STATEMENT: Testified in support of HB 33.

NATE ROSE, Vice President
Kodiak Seiners Association
Kodiak, Alaska

POSITION STATEMENT: Testified in support of HB 33.

REPRESENTATIVE LOUISE STUTES
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor of HB 33, answered questions and provided clarification.

ART NELSON, Executive Director
Board of Fisheries
Alaska Department of Fish & Game
Anchorage, Alaska

POSITION STATEMENT: Answered questions regarding HB 33.

JANE PIERSON, Staff
Representative Louise Stutes
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 33, on behalf of Representative Stutes, prime sponsor.

ACTION NARRATIVE

[1:04:04 PM](#)

CO-CHAIR ROBYN NIAYUQ BURKE called the House Resources Standing Committee meeting to order at 1:04 p.m. Representatives Dibert, Hall, Mears, Fields, Saddler, Rauscher, Elam, and Burke were present at the call to order. Representatives Coulombe arrived as the meeting was in progress. Other legislators present were Representative Eischeid.

CONFIRMATION HEARING(S) :
Alaska Oil and Gas Conservation Commission
Big Game Commercial Services Board
State Assessment Review Board

[1:05:05 PM](#)

CO-CHAIR BURKE announced that the first order of business would be confirmation hearings for the governor's appointees to various boards and commissions.

CO-CHAIR BURKE noted that the committee would begin with the appointees to the Alaska Oil and Gas Conservation Commission (AOGCC).

[1:05:41 PM](#)

JESSIE CHMIELOWSKI, Appointee, Alaska Oil and Gas Conservation Commission (AOGCC) described her background, professional experience, and her previous work with AOGCC [rèsumé included in the committee file].

[1:08:52 PM](#)

MS. CHMIELOWSKI responded to several questions from Representative Saddler by describing her work managing federal funding. She described the commission's work with orphan well remediation grants, carbon capture use and storage, and oil and gas regulation. She discussed multi-year grants and potential upcoming grants. She also pointed out that some grants had been suspended by President Donald Trump's executive orders.

[1:11:43 PM](#)

MS. CHMIELOWSKI addressed several questions posed by Representative Fields regarding Cook Inlet gas resources. She discussed the development of the Cook Inlet reservoir and the AOGCC's role in ensuring there was no waste. She also summarized the injection process. She pointed out that the commission does not promote development but rather oversees development of resources without regard to the price of oil so the resources can be managed for the long term.

[1:15:39 PM](#)

MS. CHMIELOWSKI, in response to a question from Representative Rauscher, said a term on the board would be six years.

[1:15:54 PM](#)

MS. CHMIELOWSKI, in response to a question from Representative Saddler, clarified that the focus of AOGCC is volume of production and protection of the resources rather than profitability or investment decisions of the operators.

[1:16:31 PM](#)

MS. CHMIELOWSKI responded to a question from Representative Coulombe regarding primacy and the carbon capture and storage process. She described a "crosswalk" process which compared draft state regulations with federal regulations.

[1:17:53 PM](#)

MS. CHMIELOWSKI, in response to a question from Representative Mears, described the elements that go into establishing primacy and how long the process takes.

[1:19:09 PM](#)

MS. CHMIELOWSKI, in response to a question from Representative Saddler, explained that the AOGCC is confident of being granted primacy.

[1:20:34 PM](#)

CO-CHAIR BURKE noted that the committee, in continuing of the confirmation hearing, would next hear from the appointees to the Big Game Commercial Services Board.

[1:21:35 PM](#)

AARON BLOOMQUIST, Appointee, Big Game Commercial Services Board, described his background, professional experience, and his previous experience on the board [rèsumé included in the committee file].

[1:23:05 PM](#)

MR. BLOOMQUIST, in response to a question from Representative Fields, confirmed that he had not been involved with a case of illegal bear hunting.

[1:24:31 PM](#)

MR. BLOOMQUIST addressed a question posed by Representative Saddler. He discussed how the board had approached certain types of game violations and described several changes he would like to see. He said the board works with approximately 300 businesses, and there are always a couple of cases. He explained that the board is working on a number of projects

relating to licensure, regulations, improving guide services, and legislation.

[1:29:23 PM](#)

MR. BLOOMQUIST, in response to several questions from Representative Fields, described the difference between bear baiting and habituating bears and addressed the regulations regarding bear baiting and the locations of bear baiting stations.

[1:33:24 PM](#)

MARTIN BONIEK, Appointee, Big Game Commercial Services Board described his background, professional experience, his previous work on the board, and his experience as an air taxi operator [rèsumé included in the committee file].

[1:34:33 P, M](#)

MR. BONIEK responded to several questions from Representative Saddler regarding what types of issues had come before the board that were directly related to aircraft. Two he mentioned were the importance of distinctive markings on aircraft used by guides. Another issue was that guides were designated specific areas but transporters were not. Related to that, he said, was the issue of whether the transporters are licensed as a single person or as a limited license company. If the license was for the company, there was potential for abuse such as if a pilot had been sanctioned but then flew for the company transporting hunters. He also mentioned hunt planners who put together hunts without following board regulations. For example, someone from out of state could set up a caribou hunt without being familiar with the terrain, the regulations, or the caribou population.

[1:40:18 PM](#)

KEEGAN MCCARTHY, Appointee, Big Game Commercial Services Board, described his background, professional experience, and his involvement with conservation issues in Alaska [rèsumé included in the committee file].

[1:42:14 PM](#)

MR. MCCARTHY, in response to a question from Representative Fields, provided details regarding his two fish and game violations. Approximately 20 years ago, he received a violation

for not having the proper paperwork for salmon roe. He also received a violation for not properly "sealing" a bear. Two small red numbered tags are attached to the hide and skull and must stay in place until the hide has been properly processed.

[1:44:28 PM](#)

MR. MCCARTHY, in response to a question from Representative Saddler, identified federal land issues as a concern for hunters in Southeast Alaska.

[1:47:21 PM](#)

CO-CHAIR BURKE noted that the committee, in continuation of the confirmation hearing, would move to the appointee to the State Assessment Review Board.

[1:47:47 PM](#)

SAMUEL LAFFEY, Appointee, State Assessment Review Board, described his background and professional experience [rèsumé included in the committee file].

[1:48:59 PM](#)

MR. LAFFEY responded to a question from Representative Fields regarding how his experience in family law and criminal law would relate to the work of the State Assessment Review Board. He described his interest in oil and gas issues and why he felt he was qualified for the position.

[1:50:46 PM](#)

MR. LAFFEY, in response to several questions from Representative Saddler, explained his understanding that most of the oil and gas assessment issues come from the North Slope. He described how his previous work applied to the board work, specifically his analysis of statutory and regulatory rules and procedures as well as his trial experience.

[1:54:00 PM](#)

MR. LAFFEY responded to several questions from Representative Coulombe regarding his understanding of the State Assessment Review Board and its work. He explained he was not aware of the lack of transparency regarding some tax settlements.

[The confirmation hearings were held over.]

[1:58:17 PM](#)

The committee took a brief at-ease at 1:58 p.m.

HB 33-CONFLICT OF INTEREST: BD FISHERIES/GAME

[1:59:25 PM](#)

CO-CHAIR BURKE announced that the final order of business would be HOUSE BILL NO. 33, "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."

[1:59:47 PM](#)

CO-CHAIR BURKE reopened public testimony on HB 33.

[1:59:52 PM](#)

JERRY MCCUNE, Government Relations, Commercial Fisheries Hatcheries, testified in support of HB 33. He described the difficulties encountered by a board member who was a commercial fisherman or related to a commercial fisherman and how they were not able to answer questions or offer expertise due to being "conflicted out." He explained how this meant that important information might not be brought to light. He agreed that a board member with conflicts should not be able to vote but said they should be able to offer their expertise.

[2:02:46 PM](#)

MR. MCCUNE, in response to a question from Representative Saddler, explained that based on interpretations by the State of Alaska Department of Law, lodge owners and guides are categorized as services rather than commercial enterprises.

[2:03:51 PM](#)

MR. MCCUNE addressed several questions from Representative Elam regarding representation on the Board of Fisheries. He described why he believed it was an advantage to some user groups if commercial fishermen could not contribute to the discussion. Regarding why the Board of Fisheries is different from other boards, he used the example of the Alaska Board of

Chiropractic Examiners which has only chiropractors while the Board of Fisheries represents a number of interests. In terms of whether the board is evenly distributed among user groups, he said the balance changes from time to time, but he believed that sports fishing is more heavily represented.

[2:08:25 PM](#)

MR. MCCUNE responded to a question from Representative Saddler by emphasizing the importance of having a balance of interests on the board.

[2:10:10 PM](#)

TRACY WELCH, Executive Director, United Fishermen of Alaska (UFA), testified in support of HB 33. She described UFA and who it represents. She described the reasons UFA supported HB 33, emphasizing that board members with subject matter expertise should be able to stay at the table to clarify issues that are outside the expertise of other board members.

[2:11:55 PM](#)

MS. WELCH, in response to a question from Representative Saddler, clarified her understanding that a board member who has a conflict is prohibited from voting.

[2:13:47 PM](#)

NELS EVANS, Executive Director, Petersburg Vessel Owner's Association, testified in support of HB 33. He pointed out that those who have the most knowledge on commercial fisheries are often conflicted out. If they are board members, they cannot provide nuanced information relevant to matters before the board, whereas sports and subsistence fisheries are allowed to contribute to the conversation.

[2:16:18 PM](#)

LINDA BEHNKEN, Executive Director, Alaska Longline Fishermen's Association, testified in support of HB 33. She stated that individuals who have conflicts of interest people should be able to clarify and provide information. She gave an example of someone who did not understand the difference between trolling and trawling or of different types of fish. A board member with commercial fishing expertise would be able to clear up such misunderstandings.

[2:19:13 PM](#)

MARK RICHARDS, Executive Director, Resident Hunters of Alaska, testified in support of HB 33, as long as board members were not allowed to vote on issues if they have conflicts of interest. He pointed out that members with potential conflicts often have relevant information to share.

[2:21:11 PM](#)

MR. RICHARDS, in response to several questions from Representative Saddler, discussed Board of Fisheries deliberations of the committee as a whole and pointed out how that process differed from that of the Board of Game.

[2:24:37 PM](#)

SUSAN DOHERTY, General Manager, Southeast Regional Aquaculture Association, testified in support of HB 33. She pointed out that board members did not necessarily have the knowledge to ask good questions which would help them rule on particular proposals. She understood that people with conflicts should not be able to vote. However, it seemed counterproductive to be appointed but not be able to offer information. She described how the board would determine if a member was conflicted out. She also discussed the difference between offering information during a meeting of the committee as a whole and contributing to board deliberations.

[2:28:01 PM](#)

MS. DOHERTY responded to a question from Representative Saddler regarding how conflicts of interest were determined.

[2:30:27 PM](#)

MALCOLM MILNE, President, North Pacific Fisheries Association, testified in support of HB 33. He said he concurred with the other witnesses and emphasized the importance of the issue.

[2:32:08 PM](#)

NATE ROSE, Vice President, Kodiak Seiners Association, testified in support of HB 33. He described the complexity of the management plan for Kodiak seiners and explained why it was

important for the seiners to provide clarity to the Board of Fisheries' process.

[2:34:49 PM](#)

CO-CHAIR BURKE, after ascertaining there was no one else who wished to testify, close public testimony on HB 33.

[2:34:56 PM](#)

REPRESENTATIVE LOUISE STUTES, Alaska State Legislature, as prime sponsor of HB 33, in a closing statement, offered points of clarification. She said she thinks it was made clear that the Board of Fisheries and the Board of Game are unique because they allocate state resources. She spoke about the key elements of deliberation, comparing what is considered during board meetings as similar to what is done by committee members in the legislature. She pointed out that the sole change under HB 33 would be that if the supervisor or a majority of the members of the respective board determine that a member's further involvement will result in a conflict, then the member may not vote.

[2:39:42 PM](#)

REPRESENTATIVE STUTES, regarding a comment from Representative Mears, confirmed that because of [the current law], there are people who are deciding not to serve on the board.

[2:40:06 PM](#)

REPRESENTATIVE STUTES, in response to a question from Representative Saddler, explained that language in AS 39.52.960 clearly delineates what a conflict is.

[2:43:01 PM](#)

REPRESENTATIVE STUTES, in response to Representative Coulombe, explained that the "supervisor" is the chair of the Board of Fisheries. Regarding a list of recusals from 2005-2018, she indicated that the proposed legislation would not have nearly as big an impact on the Board of Game as it would the Board of Fisheries. She reiterated that under this legislation if ethics violations or conflicts were determined by the committee or by statute, the member could not vote, but the member could participate in discussions.

[2:45:48 PM](#)

JANE PIERSON, Staff, Representative Louise Stutes, Alaska State Legislature, on behalf of Representative Stutes, prime sponsor of HB 33, responded to a question from Representative Saddler by echoing the sponsor's answer to Representative Coulombe that the supervisor is the chair. Further, she noted that there is an attorney general member present to help with legal issues.

[2:47:33 PM](#)

ART NELSON, Executive Director, Board of Fisheries, Alaska Department of Fish & Game, in response to a follow-up question from Representative Saddler as to whether the aforementioned title of supervisor referred to anyone other than what is referred to as the "designated supervisor" in the Ethics Act, stated his understanding that "they are one and the same."

[2:48:49 PM](#)

MS. PIERSON, in response to Representative Elam as to whether there is a commercial component to the Board of Game, said she was not sure of the question but proffered that "there are hunts that are sold" and "big game can be shut down."

REPRESENTATIVE STUTES suggested there might be a commercial aspect to the Board of Game in terms of hunts that are guided versus those that are not. She pointed out that she had not delved into that issue since the Board of Game had indicated it did not think HB 33 would have much effect on its operations.

REPRESENTATIVE ELAM explained that it feels as though the Board of Fisheries has a greater tendency to get lopsided in terms of balance of power.

REPRESENTATIVE STUTES replied that the user groups of the two boards are similar and each hope to maintain their allocative structure.

[2:51:57 PM](#)

REPRESENTATIVE COULOMBE noted a letter of opposition existed in the bill file, written by a former chair of the Board of Game.

[2:52:20 PM](#)

CO-CHAIR DIBERT moved to report HB 33 out of committee with individual recommendations and the attached zero fiscal note.

REPRESENTATIVE SADDLER objected. He said he still held concern regarding "the provision that would allow a member with a declared conflict to vote" and he would like to do further research.

[2:53:01 PM](#)

A roll call vote was taken. Representatives Mears, Fields, Hall, Dibert, and Burke voted in favor of reporting HB 33 out of committee with individual recommendations and the attached zero fiscal note. Representatives Elam, Coulombe, Rauscher, and Saddler voted against it. Therefore, HB 33 was reported out of the House Resources Standing Committee by a vote of 5-4.

[2:54:08 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:54 p.m.