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**61**

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000  
JUNEAU, ALASKA 99802-2000  
PHONE: (907) 465-4100

March 17, 1989

The Honorable Dick Eliason  
Alaska State Senator  
P.O. Box V  
Juneau, AK 99811

Dear Senator Eliason:

Enclosed please find the statewide statistics on the Department of Fish and Game's Regional Supervisors, Area Management Biologists, and Assistant Area Management Biologists. The names of the Area and Assistant Area Management Biologists for the Southeast Region have been included.

If I can be of any further assistance, please call me.

Sincerely,



Don W. Collinsworth  
Commissioner

Enclosure

DEPARTMENT OF FISH AND GAME

	<u>Director</u>	<u>Deputy Director</u>	<u>Regional Supervisor</u>	<u>Area Management</u>	<u>Assistant Area Management</u>	
<b>Commercial Fisheries</b>						
Headquarters	1	1				
Southeast			1	6	4	
Central			1	5	3	
AYK			1	4	2	
Kodiak			1	6	3	
			<u>4</u>	<u>21</u>	<u>12</u>	
<b>Sport Fish</b>						
Headquarters	1	1				
Southeast			1	4	5	
Central			1	6	6	
Interior			1	2	0	
			<u>3</u>	<u>12</u>	<u>11</u>	
<b>Wildlife Conservation</b>						
Headquarters	1	1				
Southeast			1	4	2	
Central			1	9	5	
Interior			1	6	1	
Arctic			1	4	2	
			<u>4</u>	<u>23</u>	<u>10</u>	
<b>TOTALS</b>	<b>3</b>	<b>3</b>	<b>11</b>	<b>56</b>	<b>33</b>	<b><u>106</u></b>

COMMERCIAL FISHERIES

Regional Supervisor

Scott Marshall Juneau

Area Management Biologists

Ray Staska Haines  
Don Ingledue Juneau  
Philip Doherty Ketchikan  
William Bergmann Petersburg  
Robert DeJong Sitka  
Keith Weiland Yakutat

Assistant Area Management Biologists

Ken Imamura Juneau  
Vacant Ketchikan  
Robert Larson Petersburg  
Randy Timothy Wrangell

SPORT FISH

Regional Supervisor

Fred Gaffney Juneau

Area Management Biologist

Michael Bethers Juneau, Douglas, Haines, Yakutat  
Artwin Schmidt Sitka  
Stephen Hoffman Ketchikan, Klawock  
Robert Zorich Petersburg

Assistant Area Management Biologist

Michael Dean Juneau  
Randolph Erickson Haines  
Dennis Hubartt Ketchikan  
Glenn Freeman Klawock

WILDLIFE CONSERVATION

Regional Supervisor

Dave Anderson Juneau

Area Management Biologist

Bruce Dinneford Juneau  
Bob Wood Ketchikan  
Dave James Petersburg  
Butch Young Sitka

Assistant Area Management Biologist

Tom McCarthy Juneau  
Charles Lard Petersburg

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000  
JUNEAU, ALASKA 99802-2000  
PHONE: (907) 465-4100

March 14, 1989

The Honorable Richard Eliason  
Senate Labor and Commerce Committee  
P.O. Box V  
Juneau, AK 99811

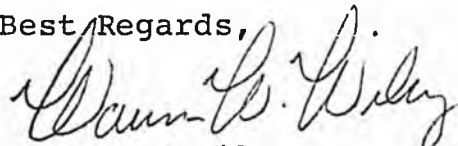
Dear Senator Eliason:

During a recent discussion on Senate Bill 61 by Senator Zharoff you requested information which might assist you in assessing the impact of the bill on employees of the Department of Fish and Game. As I recall, at that time I indicated that we surely could come up with a list of those employees who would most immediately be directly affected if SB 61 were to become law. While it is relatively easy for us to identify employees who are directly responsible for management decisions regarding fisheries, it is less easy to identify those employees who might, to a lesser or greater degree, actually be involved in arriving at those management decisions.

Enclosed is a list of employees readily identified as those responsible for management decisions within their respective divisions. As you can see, we have identified these employees only down to the assistant area management biologist level. To define "management" authority or responsibility to any greater degree might become a difficult task. We certainly will attempt to do this if you wish, and I am willing to discuss this issue with you further at your request.

I gain the impression that the committee might be considering broadening the language in SB 61 or perhaps looking toward amendments to AS 39.52 the Executive Ethics Act, as a part of their consideration of the issues raised by SB 61. If I can be of any assistance to you or to the committee in this discussion, all you need to do is call.

Best Regards,



Warren W. Wiley  
Assistant Commissioner

Enclosure

	Director	Deputy Director	Reg. Sup.	Area Mgmt.	Asst. Area Mgmt.	TOTAL
Comm. Fish						39
HQ	1	1				
SE			1	6	4	
Central			1	5	3	
AYK			1	4	2	
Kodiak			<u>1</u>	<u>6</u>	<u>3</u>	
			4	21	12	
Sport Fish						28
HQ	1	1				
SE			1	4	5	
Central			1	6	6	
Internal			<u>1</u>	<u>2</u>	<u>0</u>	
			3	12	11	
Wildlife Cons.						39
HQ	1	1				
SE			1	4	2	
Central			1	9	5	
Interior			1	6	1	
Arctic			<u>1</u>	<u>4</u>	<u>2</u>	
			4	23	10	
TOTALS:	3	3	11	56	33	106

HABITAT EMPLOYEES WITH PERMITTING AUTHORITY



**SENATOR FRED F. ZHAROFF**  
**ALASKA STATE LEGISLATURE**

P.O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION:

P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

**MEMORANDUM**

**TO:** Senator Richard Eliason  
Chairman  
Senate Labor and Commerce Committee

**FROM:** Senator Fred F. Zharoff *FZ*

**DATE:** February 28, 1989

**RE:** Senate Bill 61 - "An Act prohibiting certain employees of the Department of Fish and Game from having certain financial interests."

**POSITION STATEMENT**

The fishery management decisions made by employees of the Alaska Department of Fish and Game have a major economic impact on Alaska's commercial fishermen. These decisions include whether to have an opening or not, what areas or specific bays to open, how much to allow for escapement, etc. Each of these decisions could make or break a commercial fisherman's season.

For these reasons, it is absolutely important that Fish and Game personnel make these decisions in the most fair and most impartial manner possible. This can not be accomplished if Fish and Game personnel have financial interests in the fisheries they are managing. With the many management decisions that must be made during Alaska's fast-moving fishing seasons, opportunities exist for individual Fish and Game employees to favor certain fishermen or groups of fishermen over others.

SB 61 ensures this will never be a problem. The bill prohibits permanent full-time employees of the Department of Fish and Game from having a financial interest in the fisheries they manage. This prohibition also extends to immediate family members.

In addition, the bill contains the following provisions:

- It gives the department the power to extend the prohibition, by regulation, to other employees.
- It allows employees to avoid discipline if they divest themselves of their financial interests.
- It provides for discharge from the department and class B misdemeanor penalties for employees who violate the law.

During the fishing season, rumors often abound that certain Fish and Game employees are making decisions on the basis of financial favoritism. Whether they are true or not, these rumors and reports tend to undermine Fish and Game's credibility.

SB 61 will help reassure Alaska's fishermen that management decisions are being made objectively and with fairness. It will allow the public to have a high level of confidence in the Department of Fish and Game.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2/23/89  
IN ACCORDANCE WITH UNIFORM RULE 23

\*\*FISCAL NOTE(S) MUST BE ATTACHED  
IN ACCORDANCE WITH AS 24.08.035

FURTHER

RES  
JUD

DATE TURNED INTO OFFICE 4/3/89

1/9/89

Mr. President:

L&C

Committee considered SB 61

prohibiting certain employees of the Department of Fish and Game from  
having certain financial interests.

and recommended:

replace with CS SB 61 (L+C)  same title

attached amendment(s) and  new title

\_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

FISCAL NOTE(S) attached  zero  
 appropriation no FN attached

fiscal impact  
 Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Robert Rodery  
[Signature]  
Jan Fink  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chairman signature and recommendation

Committee backup attached

## FISCAL NOTE

**REQUEST:**

Revision Date: March 31, 1989  
 Title: An act relating to employees of the Dept. of Fish and Game  
 Sponsor: Zharoff  
 Requestor: \_\_\_\_\_

Agency Affected: Fish and Game  
 BRU: \_\_\_\_\_  
 Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Passage of this legislation would have no fiscal impact upon the department.

Prepared by: Warren W. Wiley Phone: 465-4100  
 Division: Commissioner's Office Date: April 3, 1989  
 Approved by Commissioner: *Warren W. Wiley* Date: April 3, 1989  
 Agency: Fish and Game

Distribution (by preparer):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

RECEIVED [unclear]

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Commissioner's Ofc.	BILL NUMBER SB 61	SPONSOR Senator Zharoff
SHORT TITLE OF BILL An Act relating to ADF&G employees' interest in fisheries			
DEPARTMENT POSITION Oppose			
PREPARED BY Warren W. Wiley	DATE 3/1/89	COMMISSIONER'S SIGNATURE <i>Robert Coltenworth</i>	DATE 3.1.89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL None	CONSTITUENT GROUP(S) AFFECTED BY BILL Employees of ADF&G
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT:  NONE  FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT  
Unknown

ANALYSIS OF BILL/PROGRAM EFFECTS

Enactment of this legislation would prohibit an employee of the Department of Fish and Game from acquiring a financial interest in a commercial fishery managed by the department. If an employee presently holds an interest in a commercial fishery, the proposed legislation would require that employee to disclose such interest and, eventually, to relinquish that interest. Certain provisions of AS 39.52 (the Ethics Act) may already apply to this situation. At present, the department is attempting to enact an ethics policy which would address situations similar to those discussed in Senate Bill 61.

AMENDMENTS PROPOSED

It might be possible that amendments could be made to AS 39.52 which would address the issue of public employees of resource agencies participating in the commercial harvest of resources managed by the employing agency.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Original sponsor: Zharoff

1 IN THE SENATE

BY THE LABOR AND  
COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 61 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act prohibiting certain employees of the Depart-  
7 ment of Fish and Game from having certain financial  
8 interests."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. AS 44.39 is amended by adding a new section to read:

11 Sec. 44.39.060. FINANCIAL INTERESTS PROHIBITED. (a) A perma-  
12 nent full-time employee of the department who makes or influences  
13 policy decisions concerning management of a fishery or a game re-  
14 source, or an immediate family member, may not have or acquire a  
15 financial interest in the fishery or game resource. An employee who  
16 has or acquires a financial interest in violation of this subsection  
17 shall immediately disclose the interest to the commissioner and begin  
18 procedures to become divested of the forbidden financial interest. An  
19 employee who knows that an immediate family member has a financial  
20 interest in violation of this subsection shall immediately disclose  
21 the interest to the commissioner.

22 (b) The department may, by regulation, extend the prohibition  
23 established in this section to other employees whose duties are relat-  
24 ed to a fishery or a game resource.

25 (c) An employee who has, or who knows that a member of the  
26 employee's immediate family has, a financial interest in violation of  
27 this section is subject to discipline including discharge from state  
28 employment. However, an employee who has promptly disclosed a forbid-  
29 den financial interest and who did not acquire the financial interest

1 intending to violate this section may not be disciplined if divestment  
2 occurs within a reasonable period of time following the disclosure.

3 (d) An employee who knowingly has, or who knows that a member of  
4 the employee's immediate family has, an undisclosed interest in vio-  
5 lation of (a) of this section is guilty of a class B misdemeanor. An  
6 employee who has disclosed that the employee has an interest in viola-  
7 tion of (a) of this section and who has failed to divest the interest  
8 in a reasonable period of time is guilty of a class B misdemeanor.

9 (e) A disciplinary action or penalty under this section is in  
10 addition to any other penalty that may be imposed by law.

11 (f) In this section

12 (1) "commissioner" means the commissioner of fish and game;

13 (2) "department" means the Department of Fish and Game;

14 (3) "financial interest" has the meaning given in AS 39.-  
15 52.960;

16 (4) "fishery" means the commercial taking of a specific  
17 fishery resource in a specific administrative area with any type of  
18 gear or the sale or commercial processing of a specific fishery re-  
19 source taken from a specific administrative area with any type of  
20 gear; in this paragraph, "fishery resource" has the meaning given in  
21 AS 43.75.140, and "gear" and "type of gear" have the meanings given in  
22 AS 16.43.990;

23 (5) "game resource" means the conservation and development  
24 of game within a game management unit; in this paragraph, "game" has  
25 the meaning given in AS 16.05.940;

26 (6) "immediate family" includes a person's spouse and  
27 children residing with the person.  
28  
29