

CONFIRM.

FRANK

RUE

DEPT.

F&G

COMMIS.



Alaska State Legislature

SENATE RESOURCES COMMITTEE

Session:
State Capitol
Juneau AK 99801-1182

Interim:
716 W 4th Avenue
Anchorage AK 99501-2133

April 12, 1995

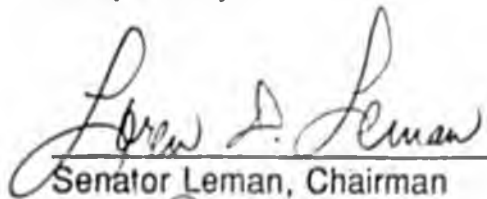
The Honorable Drue Pearce
President of the Senate
State Capitol
Juneau, Alaska 99801-1182

Dear Madam President:

The Senate Resources Committee reviewed the following with regard to confirmation of the Governor's appointment:

Department of Fish and Game :
Commissioner designee Frank Rue

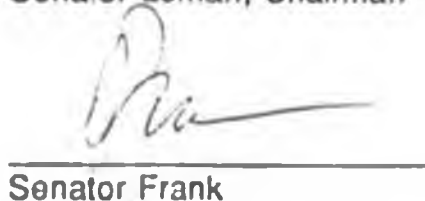
Respectfully,




Senator Lemman, Chairman



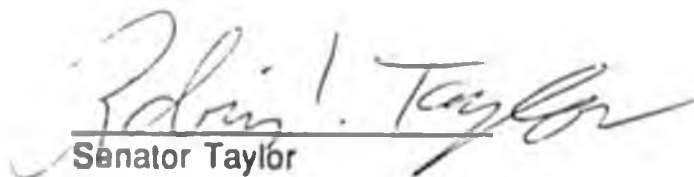
Senator Pearce



Senator Frank



Senator Halford



Senator Taylor



Senator Lincoln

Senator Hoffman

Petersburg Vessel Owners Association

P.O. Box 232
Petersburg, Alaska 99833
Phone (907) 772-9323 Voice and Fax

April 27, 1995

Senator Loren Leman
Chair, Committee on Resources
State Capitol
Juneau, AK 99801-1162

Dear Senator Leman:

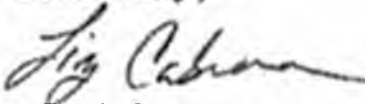
We wish to take this opportunity to express our support for the appointment of Frank Rue to the position of Commissioner of the Department of Fish & Game.

We believe he is an excellent choice for this position. We have had the opportunity to observe his work when he served as Director of the Habitat Division and feel he did a fine job. Mr. Rue is a real professional who works well with the public. He has not aligned himself with any region or harvesting group, and has always put the fish and game resources first.

We urge you to confirm Frank Rue's appointment as Commissioner of Fish & Game.

Thank you for this opportunity to comment.

Sincerely,



Liz Cabrera
Director

APR 20 1995

14 April 1995

Alaska State Legislature
Senate Resource Committee

To all members

Inclosed is my comments on
Frank Rue's position on the common
use of our Fish and Game resources.

The constitution still provides that
all Alaska are equal in their right
of personal use of these public resources.

Until the constitution is amended
to allow inequality (heaven forbid) we
must all be committed to uphold
the rights for all. For those who can
not commit to that standard they should
not seek to represent all people.

Thank you

Hub Bondurant
HC 1 Box 197
Soldotna AK

29669

Department of Fish and Game

Frank Rue Commissioner

PO Box 25526

Juneau AK 99802-5526

APR 20 1995 14 April 1995

Dear Commissioner, Frank Rue

I have received your letter of reply, addressing my challenge to the validity of the Department's receipt and use of federal aid funding.

I am at fault as I did not expand on the millions still used to continue the support of the exclusionary classification of priority subsistence users. This continues on, even though McDowell (I) found that all Alaskans must be given equal consideration for the personal use of our fish & wildlife. It appears even to simple minded me, that if there is to be an acceptance of that Supreme Court Decision, this personal common use ^{fishery} could and should and must be handled by one division. The Sport Fish Division is in fact fully funded by those equal personal common users.

I want to point out that Alaska's own brochure on federal aid funds states: "Dear Angler:"
"The money you pay for your sport fishing license and the excise taxes you pay on tackle (wallop-Breaux) pay every dime of the operational budget

of the Division of Sport Fish."

Aside from that matter, what really concerns me, reflects what I believe continues to show, the wanton disregard for all Alaskan Constitutional right of equality, solely for personal political expediency. I believe your letter further expounds that unconstitutional position. ie. "There is no question that the management for subsistence has greatly complicated our management activities; however the rural subsistence priority is supported by the governor and is codified in federal law."

The governor's, yours, mine, and all Alaskan's Constitution provides for and the Supreme Court states in *Owsichuk, Ostrosky, Johns and McDowell*, "that Article VIII was designed to ensure the public the broadest possible access"; and "the common use clause imposes upon the State a trust duty to manage the fish, wild life and water resources of the state for the benefit of all the people"; and "A minimum requirement of this duty is a prohibition against any special privilege"; the

common use and no exclusive right of fishery clause reflected anti exclusionary values."

Since the governor, your self, and others are willing to accept a federal imposed mandate, that the Alaska Supreme Court found to be unconstitutional, I must make another point as to the individual responsibility of All Alaskans. At least until the people through their own initiative changes those provisions of equality, then all Alaskans are still obligated to ensure that these protections of equality still apply

Article 1 Section 1 states: "This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people, and to the State."

It sounds good, it is good, the best in the Nation. But there are many in Alaska who do not support equality, and continue

to ignore their constitutional obligation in hope that it will all be subjugated by amendment. Wake up, it is still the law that has well served the test of equality for all people during the many years since statehood. (Even before; under the White Act)

Some state politicians have continually expressed the willing to amend the Constitution, to vacate those provisions of equality, for the sole purpose of gaining "Quisling" type of management even when the Supreme Court stated: "State control merely for the sake of control is a questionable goal when the terms infringe upon the open access values of article VIII" Past history records that there are many leaders who will enslave their people to an equality, as long as they themselves can serve as head slaves.

I can not support those who, in my opinion are willing to ignore those individual personal rights of equality. And for those who may do so for political expediency, in my opinion, display the height of hypocrisy. Therefore I seek

your unequivocal support of the Alaska's
 Constitution's provision of common use
 equality of the state's fish, wildlife and
 water resources. Until then I must continue
 to challenge your confirmation as Commissioner
 of the Alaska Department of Fish and Game,

Sincerely

Wale Bondurant

HC 1 Box 1197

Soldotna AK 99669

P.S. I still have not received your reply to my
 letter of March 31, 1995. Reference: Kenai River
 Sockeye Salmon Task Force proposals submitted for
 Board of Fisheries March 1995 public deliberations.

cc:

Governor of Alaska - Tony Knowles

Senate Resource Committee

House Resource Committee

Senate President - Drue Pearce

House Speaker - Gail Philips

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

Tony Knowles, Governor

APR 20 1995

P.O. BOX 25526
JUNEAU, ALASKA 99802-5526
PHONE: (907) 465-4100

April 5, 1995

Mr. Dale Bondurant
HC 1 Box 1197
Soldotna, AK 99669

Dear Mr. Bondurant:

Thank you for your letter of March 15 expressing concerns over the validity of the level of federal aid funding to the department given the subsistence priority in Alaska.

There is no question that the management for subsistence has greatly complicated our management activities; however, the rural subsistence priority is supported by the governor and is codified in federal law. In addition, the allocation of fish and wildlife resources among sport, commercial and subsistence users is made by the Boards of Fish and Game, not the department.

You stated the vast majority of our department's budget comes from federal aid money. This is far from correct. Federal aid funding (Dingell-Johnson and Pittman-Robertson Acts) accounts for less than 20 percent of the department's approximately \$90 million annual budget. These federal aid funds come from an excise tax on hunting and fishing equipment irrespective of its intended use (sport, subsistence, target practice, etc.)

Your question of validity regarding Alaska's share of the funds based on the size of the state is not correct. The federal aid acts state that for Pittman-Robertson funds: "The Secretary of the Interior, ... shall apportion the revenue ... in the following manner: One-half in the ratio which the area of each state bears to the total area of all the states...." Whether or not the state is all federal land, state land, or private land, and whether or not hunting is even allowed, has nothing to do with the apportionment of the funds. For example, if the entire state had Tier II hunts, we would still get the same apportionment based on the language of the act.

It is your prerogative to mount a legal challenge to the way this department spends federal aid dollars; however, I hope you do not go to that extreme. I do not think a problem exists and any reduction in federal aid funding would have a negative effect on

Mr. Dale Bondurant

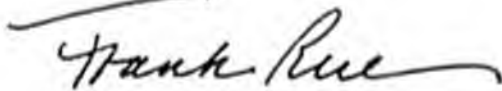
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April 5, 1995

this department's ability to manage fish and wildlife. The result would likely be fewer opportunities for residents and nonresidents to participate in recreational hunting and fishing.

If I can be of further assistance, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Frank Rue". The signature is written in dark ink and is positioned above the typed name.

Frank Rue
Commissioner



Ketchikan Office:
P.O. Box 9579
Ketchikan, AK 99901
Phone: 907-225-5156
Fax: 907-225-5258

Juneau Office:
P.O. Box 23081
Juneau, AK 99802
Phone: 907-463-5030
Fax: 907-463-5080

April 12, 1995

Senator Loren Lemar, Chairman
Senate Resources Committee
State Capitol
Juneau, Alaska 99801-1182

SENT VIA FAX

Dear Senator Lemar.

We would like to take this opportunity to express our wholehearted support for Frank Rue's confirmation as Commissioner of the Department of Fish & Game.

We have had the opportunity to work with Mr. Rue when he served as Director of the Habitat Division. Our experience has shown that he is a fine professional with a good reputation for getting the job done. His deep concern for the fish and game resources of this state is undeniable.

We concur with the Boards of Fish and Game that Frank Rue is an excellent choice for Commissioner of Fish & Game. We urge you to confirm his appointment.

Sincerely,

A handwritten signature in cursive script that reads "Kris Norosz".

Kris Norosz
Executive Director

cc: Senators: Duncan, Taylor, and Zharoff
Representatives: Mackie, Grussendorf, Williams, Elton,
and Robinson



OFFICIAL BUSINESS

Alaska State Legislature
Senate
Office of the Secretary

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX: 465-2832

February 27, 1995

MEMORANDUM

TO: Senator Leman, Chair
Resources Committee

FROM: Nancy Quinto *nd*
Secretary of the Senate

SUBJECT: Governor's Confirmations

Pursuant to AS 39.05.080, President Pearce has referred the following name for legislative confirmation to your committee for a hearing, recommendation and report:

Department of Fish and Game
Commissioner designee Frank Rue

NQ/hv

Resume attached

RESUME FOR FRANK RUE
7083 Hendrickson Road
Juneau, Alaska 99801

EDUCATION

University of Massachusetts, Department of Landscape and Architecture and Regional Planning, Master of Landscape Architecture, 1976

University of Pennsylvania, B.A., English, 1972.

Stanford University, Political Science and English, Summer, 1970.

PROFESSIONAL EXPERIENCE

Director, Habitat Division, Alaska Department of Fish and Game.
March 1988 - Present.

As director I am responsible for a division with a \$3.5 million budget and 75 positions located in Juneau, Anchorage, Fairbanks, Sitka, Petersburg and Ketchikan. I directly supervise a deputy director, three regional supervisors and a pipeline coordinator. I represent the department on all land use and habitat issues. Recent accomplishments include: lead for the department in negotiating and securing passage of forest practices and mining reclamation legislation that were both developed and supported by consensus of a broad range of interests including the regulated industry, fishing organizations, native organizations and environmental groups; and, leadership of the department's participation in the Exxon Valdez oil spill response and cleanup.

Natural Resource Manager II, Resource Allocation Section, Alaska Department of Natural Resources, Anchorage. January 1986 - March 1983.

Directly supervised five project managers in Juneau, Anchorage and Fairbanks who were responsible for developing the Copper River Basin, Kuskokwim, Northwest Alaska, Prince William Sound, and Prince of Wales Island regional land use plans. The plans established policies and made land allocations among competing uses for approximately 30 million acres of state uplands, tidelands and submerged lands. Negotiated with agencies, local governments, coastal resource service area boards, and interest groups to develop land use policies. Worked with the section chief and project managers to devise creative approaches to staffing and project design so that plans could be completed in the face of lower budgets. Designed and managed professional services contracts. Conducted public meetings.

Acting Chief, Resource Allocation Section, Alaska Department of Natural Resources, Anchorage. August 1985 - January 1986.

Responsible for overall supervision of fourteen professional planners, four cartographers, and two clerks located in Juneau, Anchorage, and Fairbanks. Directly supervised the project managers for the Statewide Settlement Plan, and the Kuskokwim, Northwest Alaska and Prince of Wales Island regional land use plans. Prepared and managed the section's \$1 million budget. Designed and implemented a computerized budget tracking system enabling managers to be cost accountable, and providing critical information necessary for effective and informed budget reductions.

Natural Resource Manager II, Resource Allocation Section, Alaska Department of Natural Resources, Anchorage. 1982 - 1985.

Directly supervised the project managers of the Bristol Bay and Southwest Prince of Wales Island regional land use plans for approximately 13 million acres of state land. Conducted public meetings and facilitated the negotiations between agencies, local government, coastal resource service area boards and interest groups to establish the area-wide policies for forestry, fish and wildlife, settlement, recreation, mining, oil and gas and other resources. The Bristol Bay Plan required coordination of federal and state agencies under the auspices of the Alaska Land Use Council. Upon completion of these first two plans supervised the project managers of the Kuskokwim, Northwest Alaska, and Prince of Wales Island plans. This included working with the managers to develop work plans, and methods of doing resource analysis, public participation and plan production. Primary author of the Haines State Forest and Chilkat Bald Eagle Preserve management plans.

Natural Resource Manager I, Commissioner's Office, Alaska Department of Natural Resources, Juneau. 1979 - 1982.

Initiated the first tidelands plan prepared by the department and was the project manager until moving to Anchorage to accept a promotion. Successfully facilitated day-to-day negotiations between agencies, local citizens, interest groups, and local governments (all with widely divergent views) on legislation establishing the Haines State Forest and Chilkat Bald Eagle Preserve. Played a significant role in developing the department's regional planning process and was the Land and Resource Planning Section's liaison with the commissioner's office during that process. Worked with an advisory group of local residents, representatives of interest groups, and state and federal agencies to allocate and manage \$500,000 in soils, hydrology, topography, and fish and wildlife research contracts in the Haines area. Negotiated a

proposed land exchange with the Cape Fox Corporation.
Developed state land selection recommendations.

Community Planner, Division of Community Planning, Department of
Community and Regional Affairs, Juneau. 1977 - 1979.

Worked with local governments throughout Southeast Alaska in
developing their district coastal management programs, and
assisted with general community planning and zoning questions.
Responsible for contract preparation, bidding and
administration. Designed and wrote a statewide management
handbook to explain the development of coastal management
programs to local districts. Participated in state and
federal planning projects.

PERSONAL DATA

Age: 40
Married with two children

REFERENCES

Available upon request.