

**FOR IMMEDIATE RELEASE****Contact:** Kate Burkhart, 907-465-4970, [kate.burkhart@akleg.gov](mailto:kate.burkhart@akleg.gov)**OMBUDSMAN FINDS BOARD OF FISHERIES VIOLATED  
OPEN MEETINGS ACT**

September 3, 2019 Juneau – Alaska State Ombudsman Kate Burkhart recently concluded an investigation of a complaint about the Board of Fisheries (Board). In May 2019, the Ombudsman received a confidential complaint about the Board’s January 2019 decision to relocate the 2020 Upper Cook Inlet (UCI) Finfish meeting location from the Kenai/Soldotna area to Anchorage. The complaint alleged that the Board violated the Open Meetings Act by not providing advance notice that it intended to take up the issue.

The ombudsman investigation revealed that, while the Board had provided notice of its January 2019 meeting, the notice did not include the Board’s intent to revisit the issue of where the 2020 UCI Finfish meeting would be held. Instead, Board Chairperson Reed Morisky announced on the first day of the meeting that the Board intended to take up the topic sometime near the end of the meeting. Several days into the meeting, he brought up the issue and, after discussion, the Board voted 4-3 to relocate meeting from Kenai/Soldotna to Anchorage.

The record showed that, during a break from the meeting, Chairperson Morisky specifically told stakeholders from Kenai that the Board would not be taking up the location of the 2020 UCI Finfish meeting. The stakeholders left the meeting based on the Chairperson’s advice. Later in the day, Chairperson Morisky raised the issue of the meeting location, excluding interested stakeholders from observing the Board’s deliberation and vote.

The [Alaska Open Meetings Act](#) requires that “public entities” provide reasonable and consistent notice of its meetings (AS 44.62.310(e)). A review of the Board’s past practices showed that the Board has historically made non-regulatory decisions, such as the dates and locations of upcoming meetings, at its October work sessions and not at substantive regulatory meetings (like the January 2019 meeting). The Board’s notice of its January 2019 meeting included no information that would have alerted the public that it intended to revisit the location of its 2020 UCI Finfish meeting. Based on this evidence, the Ombudsman found that the Board’s action to take up the 2020 UCI Finfish meeting at the January 2019 meeting failed to meet the requirements of the Open Meetings Act.

The Ombudsman recommended that the Board cure the violation by holding another vote on the location of the 2020 UCI Finfish meeting location after providing notice as required by the Open Meetings Act (AS 44.62.310(e)). The Board agreed with the finding and committed to hold another vote on the 2020 UCI Finfish meeting at its upcoming October 23-24, 2019 work session meetings. A public report of this investigation (J20190374), findings, and recommendations is available at <https://ombud.alaska.gov/case-summaries>.