

**ALASKA STATE LEGISLATURE**  
**HOUSE JUDICIARY STANDING COMMITTEE**

January 31, 2001

1:12 p.m.

**MEMBERS PRESENT**

Representative Norman Rokeberg, Chair  
Representative Scott Ogan, Vice Chair  
Representative Jeannette James  
Representative John Coghill  
Representative Kevin Meyer  
Representative Ethan Berkowitz  
Representative Albert Kookesh

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 48

"An Act eliminating a requirement that a social security number be provided by an applicant for a hunting or sport fishing license or tag; and providing for an effective date."

- MOVED CSHB 48(RES) OUT OF COMMITTEE

**PREVIOUS ACTION**

BILL: HB 48

SHORT TITLE:NO SOC SEC. # REQ'D ON HUNT/FISH LICENSE

SPONSOR(S): COGHILL

Jrn-Date	Jrn-Page		Action
01/10/01	0049	(H)	READ THE FIRST TIME - REFERRALS
01/10/01	0050	(H)	RES, JUD
01/19/01	0134	(H)	COSPONSOR(S): LANCASTER
01/24/01		(H)	RES AT 1:00 PM CAPITOL 124
01/24/01		(H)	Moved CSHB 48(RES) Out of Committee MINUTES(RES)
01/26/01	0169	(H)	RES RPT CS(RES) NT 7DP
01/26/01	0170	(H)	DP: STEVENS, CHENAULT, GREEN, FATE,
01/26/01	0170	(H)	KAPSNER, KERTTULA, MASEK

01/26/01	0170	(H)	FN1: ZERO (DFG)
01/26/01	0170	(H)	FN2: ZERO (REV)
01/26/01	0170	(H)	REFERRED TO JUDICIARY
01/31/01		(H)	JUD AT 1:00 PM CAPITOL 120

#### **WITNESS REGISTER**

KEVIN SHORES, Assistant Attorney General  
Human Services Section  
Civil Division (Juneau)  
Department of Law  
PO Box 110300

Juneau, Alaska 99811-0300

POSITION STATEMENT: Provided department's position and answered questions regarding HB 48.

#### **ACTION NARRATIVE**

TAPE 01-10, SIDE A  
Number 0001

CHAIR NORMAN ROKEBERG called the House Judiciary Standing Committee meeting to order at 1:12 p.m. Members present at the call to order were Representatives Rokeberg, Coghill, Meyer, and Berkowitz. Representatives Ogan, James, and Kookesh joined the meeting as it was in progress.

[Minutes for the overview by the Department of Law regarding Statehood Defense/Natural Resources Lawsuits, heard during the second portion of the meeting, are found in the 1:30 p.m. minutes for this same date.]

#### HB 48 - NO SOC SEC. # REQ'D ON HUNT/FISH LICENSE

Number 0027

CHAIR ROKEBERG announced that the committee would hear HOUSE BILL NO. 48, "An Act eliminating a requirement that a social security number be provided by an applicant for a hunting or sport fishing license or tag; and providing for an effective date." [Before the committee was CSHB 48(RES).]

REPRESENTATIVE COGHILL, speaking as the sponsor, stated that his main goal with CSHB 48(RES) was to remove the requirement that a person list his or her social security number on the applications for hunting and fishing licenses/tags/permits. He referred to a letter from Barbara Miklos of the Department of

Revenue, Child Support Enforcement Division (CSED), acknowledging the use of the Permanent Fund Dividend Division's database as a better source for social security number retrieval. He pointed out that even though CSED had received a waiver from the Federal Office of Child Support Enforcement, so that it no longer requires the collection of social security numbers from recreational licenses, the Alaska Department of Fish and Game (ADF&G) still mandates the inclusion of social security numbers on the applications [for licenses/tags/permits]. With the passage of CSHB 48(RES), providing a social security number on applications would become an option, not a requirement - a change which contractual vendors of applications favor.

Number 0251

REPRESENTATIVE COGHILL paraphrased the following sectional analysis regarding changes to portions of AS 16.05 [original punctuation provided]:

**Sec. 1:** Repeals a portion of AS 16.05.360(a) that requires the form or application for a hunting or sport fishing license to contain sufficient information to supply the applicant's social security number.

**Sec. 2:** This repeals AS 16.05.330(e) which requires a person applying for a license or tag for hunting or sport fishing to provide their social security number on the application and requires the Department of Fish & Game to report provide that social security number to CSED if requested.

Repeals AS 16.05.346(d) which requires a person applying for a permit under the section of statutes that deal with licensing of sport fishing and hunting to provide the person's social security number on the permit application. It also requires the department to provide the social security number to the child support enforcement agency if information is requested by the agency.

It also repeals AS 16.05.360(b), which requires the department to provide the social security number to CSED upon request.

**Sec. 3:** Provides for an immediate effective date.

REPRESENTATIVE COGHILL also remarked that CSHB 48(RES) would contribute to ensuring the public's privacy and security by limiting unnecessary exposure of an individual's social security number. He urged the members to pass it out of committee.

Number 0358

REPRESENTATIVE BERKOWITZ called attention to the term "citizenship" on page 1, line 11, questioning its use in terms of differentiating the cost of various types of licenses/tags/permits. He also inquired of the Department of Law representative if there were any mandated requirements to include the word "citizenship" in the statute [AS 16.05].

Number 0418

KEVIN SHORES, Assistant Attorney General, Human Services Section, Civil Division (Juneau), Department of Law, said that he was not aware of any such federal requirements.

REPRESENTATIVE OGAN pointed out that different classes of licenses, such as resident, nonresident, and nonresident alien, have different costs. Therefore, he did not see why there should be concern over the term "citizenship".

CHAIR ROKEBERG reminded members that the ADF&G tracks information about all users of the state's fish and game resources. He noted that over the interim he had personally witnessed a number of [bag-limit] violations by German nationals in the tourist sport fishing industry.

REPRESENTATIVE BERKOWITZ expressed his belief that the alien [citizenship] distinction was an improper one.

CHAIR ROKEBERG reiterated that informational tracking was important to the ADF&G.

MR. SHORES explained that he had come prepared to speak on CSED issues and felt that Representative Berkowitz's questions regarding citizenship distinctions and rate differentials would be better addressed to the ADF&G.

REPRESENTATIVE OGAN added, as an example, that a nonresident alien, class 15, big game hunting license costs \$300; therefore, he felt the state had a justifiable need to require an applicant to declare alien status.

REPRESENTATIVE BERKOWITZ asked whether a person who was from another country but residing legally in Alaska would fall into the nonresident alien category.

REPRESENTATIVE OGAN pointed out that that person would be considered a resident for licensing purposes.

Number 0845

MR. SHORES commented that he was not aware of any federal requirements regarding citizenship. He concluded by saying that because CSED had received the federal waiver, the department did not have any problems with CSHB 48(RES).

Representative Ogan noted this was a welcome change from the administration's previous policy.

Number 0945

CHAIR ROKEBERG closed public testimony.

Number 0989

REPRESENTATIVE BERKOWITZ made a motion to adopt conceptual Amendment 1: Page 1, line 11, striking "and citizenship".

REPRESENTATIVE OGAN objected to conceptual Amendment 1.

REPRESENTATIVE BERKOWITZ suggested during discussion that the wording regarding citizenship constituted an unwarranted intrusion of people's privacy.

CHAIR ROKEBERG reiterated his concerns about the violations by German nationals.

REPRESENTATIVE BERKOWITZ responded that "he would be loath to assign collective guilt to the German people in general, for fishing violations of a few individuals...."

REPRESENTATIVE OGAN voiced the opinion that removing the language would impede the ADF&G as it strove to enforce the laws. He once again brought up the fact that the current fee schedule was interdependent of both residency and citizenship.

A roll call vote was taken. Representatives Berkowitz and Kookesh voted for the amendment. Representatives Rokeberg,

Ogan, Coghill, James, and Meyer voted against the amendment. Therefore, conceptual Amendment 1 failed by a vote of 2-5.

Number 1157

REPRESENTATIVE OGAN made a motion to move CSHB 48(RES) out of committee with individual recommendations and the attached zero fiscal notes. He asked for unanimous consent. There being no objections, CSHB 48(RES) moved from the House Judiciary Standing Committee.

CHAIR ROKEBERG called an at-ease at 1:30 p.m. in order to hear the overview by the Department of Law. [Minutes for the overview by the Department of Law regarding Statehood Defense/Natural Resources Lawsuits are found in the 1:30 p.m. minutes for this same date.]