

**MINUTES**  
**SENATE FINANCE COMMITTEE**  
**April 19, 2004**  
**9:05 AM**

**TAPES**

SFC-04 # 85, Side A  
SFC 04 # 85, Side B

**CALL TO ORDER**

Co-Chair Gary Wilken convened the meeting at approximately 9:05 AM.

**PRESENT**

Senator Lyda Green, Co-Chair  
Senator Gary Wilken, Co-Chair  
Senator Con Bunde, Vice Chair  
Senator Fred Dyson  
Senator Donny Olson  
Senator Ben Stevens  
Senator Lyman Hoffman

**Also Attending:** REPRESENTATIVE RALPH SAMUELS; CHERYL FRASCA, Director, Office of Management and Budget, Office of the Governor; BRIAN WILSON, Southeast Alaska Boat Transporter; RICK URION, Director, Division of Occupational Licensing, Department of Community and Economic Development; HENRY WEBB, Staff to Representative Ralph Samuels and Aide, Legislative Budget & Audit Committee.

**Attending via Teleconference:** From Offnet Sites: JOE KLUTSCH, Representative, Alaska Professional Hunters Association; PAUL JOHNSON, Registered Guide; HENRY TIFFANY, Registered Guide

**SUMMARY INFORMATION**

SB 226-STATE AGENCY RECEIPTS

The Committee heard from the Office of Management and Budget and held the bill in Committee.

SB 303-BIG GAME GUIDE BOARD & SERVICES

The Committee heard from the sponsor, the Division of Occupational

Licensing, Department of Community and Economic Development, and took public testimony. One amendment was offered but was withdrawn from consideration. The bill was held in Committee.

SR 3-COMMEMORATING SEN. FRANK FERGUSON

The Committee heard from the sponsor and adopted two amendments. The bill was held in Committee.

#sb226

SENATE BILL NO. 226

"An Act relating to receipts of certain state agencies and the accounting for and disposition of those receipts; and providing for an effective date."

This was the first hearing for this bill in the Senate Finance Committee.

Co-Chair Wilken stated that this legislation would amend the manner in which the State budget categorizes certain revenue by re-designating 65 special purpose account revenues as general funds. He noted that the Senate Rules Committee by Request of the Governor sponsors this legislation.

CHERYL FRASCA, Director, Office of Management and Budget, Office of the Governor, explained that State funds are categorized as General Funds, Federal Funds, or Other Funds. She shared that the goal of this legislation would be to re-categorize funds in order to curb the "erosion" of the General Funds column that is occurring as the result of more fund sources having been designated as Other Funds.

Ms. Frasca referred the Committee to the spreadsheet titled "State of Alaska FY 2005 Governor Amended Fiscal Summary," [copy on file] which she identified as being an extraction from the Office of Management and Budget December 2004 Fiscal Summary. To further the position that the Other Funds category, with an FY 04 level of \$1.1 billion, has been eroding the General Funds column, she pointed out that the Other Funds category has experienced a 55 percent increase since its FY 96 level of \$629 million. During that same timeframe, she continued, the General Funds column has reduced from \$2.5 billion to \$2.3 billion, and as a result, she noted, "there is much more continued pressure on the General Fund to fund what traditionally are very basic traditional responsibilities of government" such as public safety, the State troopers, the Court System, Department of Corrections the Legislature, the Governor's Office, and Department of Transportation and Public Facilities

highway maintenance. In addition, she communicated that the ability of the State to support its traditional responsibilities has also been negatively affected, over time, by the decrease in oil revenues.

Ms. Frasca pointed out that the State's Constitution prohibits dedicated funds, with the exception of dedicated funds that were grandfathered at Statehood and the Permanent Fund Program, which was approved via a statewide ballot measure. She read an excerpt from the 1955 Constitutional Convention's Finance and Taxation Committee document titled "Commentary on the Article on Finance and Taxation" [copy on file] which warns against dedicating funds as follows: "Even those persons or interests who seek the dedication of revenues for their own projects will admit that the earmarking of taxes or fees for other interests is a fiscal evil. But if allocation is permitted for one interest the denial of it to another is difficult, and the more special funds are set up the more difficult it becomes to deny other requests until the point is reached where neither the governor nor the legislature has any real control over the finances of the state."

Ms. Frasca opined that "in practice," less scrutiny is provided to items funded via Other Funds, and, as a result, she continued, "there is tremendous pressure and demand on the General Funds side of the column." Therefore, she continued, the goal of this legislation would be to "re-cast the way we categorize funds so that the General Funds column has more dollars," that the State could allocate based "on the highest and best use." She shared that in the FY 05 Operating Budget there are 117 designated fund sources of which four are classified as General Funds, eight relate to Federal Funds, and 105 are designated as Other Funds. This legislation, she shared, would shift \$160 million currently categorized as Other Funds into the General Fund column.

Ms. Frasca noted that a letter she sent to Senator Wilken on March 11, 2004 [copy on file] contains a spreadsheet detailing the \$160 million of Other Funds that would be transferred to the General Fund.

Ms. Frasca suggested that this legislation be further considered during the upcoming Legislative interim.

Senator Bunde categorized it as "ironic" of the Administration is desiring to shift special funds back into the General Fund, as he pointed out that separate legislation is being proposed that would dedicate Permanent Fund earnings for education.

Ms. Frasca responded that that issue would require a Constitutional

Amendment to be approved by a vote of the people.

Senator Bunde expressed that "the underlying argument is still the same, we ought not to tie our hands."

Ms. Frasca acknowledged Senator Bunde's comment as being "a good point."

Co-Chair Wilken commented that the accounting mechanism being presented in this legislation creates "tension ...between a dedicated fund and the concept that the cost causer is the cost payer." He voiced comfort with the current system as he pointed out that the Legislature has the ability to access excess money in dedicated funds or to reappropriate funds elsewhere were it considered that the funds were being used "unwisely." He opined that the Legislature has been "driven" in recent years to "square up the need with the revenue stream."

Co-Chair Wilken voiced appreciation for the efforts exerted on this legislation, and agreed that work on it could continue during the interim.

The bill was HELD in Committee.

#sb303

CS FOR SENATE BILL NO. 303(RES)

"An Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services; and providing for an effective date."

This was the second hearing for this bill in the Senate Finance Committee.

Co-Chair Wilken explained that this legislation is sponsored by the Senate Rules Committee at the request of the Legislative Budget & Audit Committee (LB&A). Continuing, he stated that the legislation would set up a Board system for the guiding industry similar to what had been established in the past. He noted that the bill was held in Committee to allow for public testimony, to allow the Division of Occupational Licensing in the Department of Community and Economic Development to testify, and to address Members' concerns raised during the initial hearing on the bill. He stated that the Members' packets contain a Division of Legislative Audit Report, dated October 16, 2003, and he pointed out that CS SB 303(RES), Version 23-LS1655\H is before the Committee.

REPRESENTATIVE RALPH SAMUELS, Chair, Legislative Budget & Audit Committee, explained that the bill was generated as a result of the aforementioned audit's findings. He also stated that consideration has been provided to Senator Olson's air taxi service concerns. He noted that the definition of air taxi services, as derived from current State statute, is detailed in Sec. 32, (10) page 22, line four of the bill as follows.

(10) [(9)] "transportation services" means the carriage for compensation of big game hunters, their equipment, or big game animals harvested by hunters to, from, or in the field; "transportation services" does not include the carriage by aircraft of big game hunters, their equipment, or big game animals harvested by hunters

(A) on nonstop flights between airports listed in the Alaska supplement to the Airmen's Guide published by the Federal Aviation Administration; or

(B) by an air taxi operator or air carrier for which the carriage of big game hunters, their equipment, or big game animals harvested by hunters is only an incidental portion of its business; in this subparagraph, "incidental" means transportation provided to a big game hunter by an air taxi operator or air carrier who does not

(i) charge more than the usual tariff or charter rate for the carriage of big game hunters, their equipment, or big game animals harvested by hunters; or

(ii) advertise transportation services or big game hunting services to the public; in this sub-subparagraph, "advertise" means soliciting big game hunters to be customers of an air taxi operator or air carrier for the purpose of providing air transportation to, from, or in the field through the use of print or electronic media, including advertising at trade shows, or the use of hunt broker services or other promotional services.

Representative Samuels stated that Penn Air, an air taxi service provider which serves the Cold Bay region of the State and transports bear hunters in the spring or fall as the hunt season is open, is an example of a company whose service to big game hunters is an incidental portion of their business. As such, he noted, Penn Air, which does not advertise its service to hunters, would be exempt from the proposed legislation, per this definition.

Representative Samuels clarified; however, that the legislation would apply to an air taxi service whose "sole job" was to transport hunters to a site.

Representative Samuels stated that the Audit was clear in its

determination that the re-establishment of the Board would be beneficial to big game hunting as the expertise of a Board would be preferred to having the Division of Occupational Licensing address issues.

Senator Olson asked for further verification that the bill would not impact air taxi service incidentals such as the size of identification numbering on the aircraft.

Representative Samuels expressed that other than establishing a big game board and removing those responsibilities from the Division of Occupational Licensing, nothing is altered in regards to small air taxi service operators. He stressed that it is not the intent of the Board to impact air taxi service operations.

Senator Bunde stated that while transporting hunters and fishermen might not be the primary business of some air taxi operators, that business could not be summarily characterized as incidental because, at times, that business could amount to 50 percent of some air taxi's business.

Representative Samuels clarified that this legislation is specific to big game hunting and therefore transporting fishermen would not be a factor. He determined that because big game hunting transportation is limited to approximately mid-August through October, it would be difficult for a year-round operator to be affected. He expressed that the operators who would be affected by this legislation are those "who set up camp, they don't call themselves a guide, but" nonetheless, he continued, they supply packers, air transportation, and camps. However, he noted, "they are not technically a guide," and thus, he continued, these are the people this legislation would be targeting. He declared that it would be impossible, due to the short period of time involved in the big game hunting season, for year-round operating air taxi service to accumulate the percentage of time that would subject them to the conditions of this legislation

Senator Bunde agreed, but stated that while he understands the intent of the bill, he would desire to explore its unintended consequences. He reminded that air taxi services that operate float planes or those that are short-term operators who specifically transport and advertise to hunters, do not operate on a year-round basis, and therefore, he stated, could be affected by this legislation. However, he agreed that were the air taxi service to also rent equipment and provide guides, packers and cooks in addition to the transportation, then they should adhere to this legislation, as they would qualify for the guide definition criteria. He questioned whether an air taxi service that rents

equipment and transports hunters and their game meat, would meet the definition of a guide.

Representative Samuels reiterated that the legislation "does not actually change anything" except that, with the establishment of a Big Game Board, guides would be required to work with the Board instead of with the Division of Occupational Licensing. He stressed that no rules or other regulations would be changed.

Senator Bunde responded that, while laws might not change, they would be "interpreted far more strictly" by the Big Game Board.

Senator Dyson asked whether, in addition to air transportation, other modes of surface transportation such as boats or horses, would be affected by this legislation.

Co-Chair Wilken interjected that there is concern regarding boat transportation, specifically whether boats used to transport and lodge hunters, would, as a result of this legislation, qualify as a camp.

Representative Samuels reiterated that, "whatever it is now, is what it would be" were this legislation enacted.

Co-Chair Wilken pointed out that communications from members of the Alaska Outdoor Council (AOC) indicate that they either support or do not support this bill. Therefore, he asked whether AOC has submitted a formal position on this bill.

Representative Samuels replied that the organization has not provided a definitive position.

Co-Chair Wilken stated that while the association might not have presented a formal position, a common concern is that the operation might return to the "good ol' boys' club" approach that was the norm in the 1990s. This concern, he surmised, could be one of the reasons this legislation has been developed.

Senator Bunde asked whether the Lake Hood Air Taxi Association has commented on the bill.

Representative Samuels responded that no information has been forthcoming from that or any other air taxi organizations; however, he noted, numerous air taxi operators and guides have weighed in on the issue.

BRIAN WILSON, Southeast Alaska Boat Transporter, noted that many of his questions have been answered by the discussion. However, he

opined that the direction of the bill has shifted from the recommendations of the audit report in that the Big Game Guide Board could restrict usage areas by saying that a transporter must have a permit to utilize certain areas. He shared that the definition of a boat transporter is one who transports a hunter from Point A to Point B. Therefore, he voiced concern that the bill might restrict transporters' ability to could deliver hunters to certain areas.

Representative Samuels responded that exclusive use areas are not addressed in this bill.

Mr. Wilson identified the exclusive use area language to be located in Section 29, Subsection (g), on page 19, lines eight through 13, that reads as follows.

(g) At least 60 days before providing transportation services to, from, or in an area as may be determined by the board, a transporter shall inform the department, in person or by registered mail on a registration form provided by the department, that the transporter will be providing transportation services to, from, or in the use area. The board may establish transporter use areas and adopt regulations to implement this subsection, as the board considers necessary.

Co-Chair Wilken stated that this concern would be addressed.

Mr. Wilson also requested that due to the fact that transporters would be affected by the actions of the Guide Board, that consideration to given to providing them "equal representation" on the Board. He recommended that the Board have two guides and one transporter in its membership.

Co-Chair Wilken pointed out that the composition of the Board is identified on page two, Section 3 (b) as follows.

- (b)The board consists of seven members as follows:
- (1) two members who are current, licensed registered guide-outfitters;
  - (2) one member who is a licensed transporter;
  - (3) one member of the Board of Game who is chosen by the Board of Game and who does not hold a guide or transport license;
  - (4) two members who represent private landholders affected by guided hunting activities or transportation services and who do not hold a license issued under this chapter; and

(5) one public member.

Co-Chair Wilken understood therefore that Mr. Wilson is recommending that the Board membership be changed to consist of two rather than one transport member.

Representative Samuels agreed with the suggestion to have two transporters on the Board.

Mr. Wilson stated that another point of concern regards the definition of transporter; specifically he continued, as it has the appearance of incorporating "a no-compete clause." Furthermore, he stated that in his business as a boat transporter, his boat is used as a camp. He noted Representative Samuels' earlier remarks, which specified there to be no change in the existing law in this regard; however, he voiced concern that the bill implies that he could not provide a camp. He suggested that this issue be clarified.

Representative Samuels reiterated that transporter language remains unchanged and therefore reflects current statute.

Mr. Wilson acknowledged Representative Samuels comment.

Senator Bunde observed that even though current statutes might exist, their language should be updated to reflect current situations.

JOE KLUTSCH, Representative, Alaska Professional Hunters Association, testified via teleconference from an offnet site and informed the Committee that the Association's members support this legislation.

Mr. Klutsch informed the Committee that his "extensive background" in the guiding industry has afforded him the opportunity to speak from experience regarding the legislative history and the history of the allocation of big game hunting resources. He stated that the justifications for instituting the Big Game Board "are simple" as the primary reason to establish the Board would be to provide interaction between the various regulatory agencies. Continuing, he advised that the issues "are infinitely more complex now than they were in the 1980's and pre-ANILCA (Alaska National Interest Lands Conservation Act)," as there are now five State and seven federal entities involved in the permitting process of these activities. Continuing, he noted that the "lack of coordination" between the agencies results in information and regulatory "disconnect" which requires hunters to adhere to different timelines and requirements. He declared that were a Board established, open discussions to coordinate efforts and respond to situations, in a timely manner,

could occur. Furthermore, he noted, a Board could develop and retain institutional knowledge rather than information being lost as personnel and administrations change. Ultimately he stressed, wildlife resources would suffer were the current situation to continue unchanged.

Mr. Klutsch contended that the establishment of a Big Game Board would be beneficial to users, guides, transporters, and the resources. Furthermore, he opined, a lack of proper regulations would negatively affect the resources and all the users including subsistence users. He encouraged the Members to move this "good piece of legislation" forward.

PAUL JOHNSON, Registered Guide, testified via teleconference from an offnet site and informed the Committee that he has been a guide in the Elfin Cove area in excess of 30 years. In addition, he noted that he had been a member of the task force that established the original Big Game Board. Furthermore, he noted that this legislation, with a few changes, is similar to the guidelines established regarding the original Board. He advised the Committee that the original Board established a Commercial Services Board to address the continuing concern regarding the "good ol' boy" club and had, in effect, identified the various components of the industry such as the transporters and the guides.

Mr. Johnson declared that the Board was terminated due to differences of opinions relating to restricted guide areas rather than as the result of concerns over transporters or the "good ol' boys" club. He specified that other than the issue regarding guide areas, the original board had "a clean audit" and was working well.

Mr. Johnson opined that this bill does not include language regarding restricted guide areas. He stated that "the overall issue" is to protect the continuation of this \$150 million State industry. He noted that were this Board not reestablished, then the industry, which he noted pays more taxes to the State than any other industry, would be negatively impacted. Continuing, he declared that this industry does not request advertising funding, is not a burden to the State, and produces more benefits to the State than any other industry. He asked the Committee to help the industry by re-establishing the Board as he declared that the ten years since the board was terminated have negatively impacted the industry.

Mr. Johnson agreed with Senator Bunde that the industry has changed and that regulations should be updated to continue to protect the resources. He voiced no preference regarding the Board make-up, but confirmed that the bill would not change current regulations

pertaining to the definitions of transporters, guides, or incidentals. He stated that these issues were "hashed out" over a three-month period by the Task Force that established the original Board. He noted that when the "sunset" legislation was before the Legislature, continuation of the Board was widely supported in the House of Representatives but failed due to its lack of progress through the Committee process in the Senate. He urged the Committee to pass this legislation, as he attested, it is "desperately needed."

HENRY TIFFANY, Registered Master Guide, testified via teleconference from an offnet site, and urged passage of the bill, as it would benefit the resource, the hunters, and the guiding industry. He echoed previous testimony regarding the industry's contribution of more than \$150 million to the State's economy. He noted that the guiding industry is in desperate need of assistance and this "is one of the first steps that should be taken" to address the industry's needs.

Senator Olson asked whether Mr. Tiffany is speaking on behalf of any guiding association.

Mr. Tiffany clarified that these are his personal comments as a concerned citizen, constituent, and Master Guide.

RICK URION, Director, Division of Occupational Licensing, Department of Community and Economic Development agreed with the testimony supporting the bill, as he attested "this is definitely an area that needs some attention." He shared that his Division currently addresses complaints from "disgruntled" Big Game Hunting customers, and he shared that the Department is frustrated by the fact that there is no avenue through which to address issues raised. He stated that the Division's memorandum to Co-Chair Wilken's office, dated April 5, 2004 [copy on file] was compiled by the Division's Anchorage Investigative Office, which handles the complaints, in order to offer suggestions regarding how to address concerns.

Mr. Urion declared that every hunt trip should be bound by a written contract because, he noted, the primary customer complaint is that their hunting agreement was not upheld. He pointed out that the Division is currently unable to address "simple" disciplinary measures for such things as same day airborne hunting, wanton waste, and closed season hunting violations.

Mr. Urion also noted that the Board, rather than the Division, could better develop applicable definitions, as attested by the fact that due to a disagreement between the Division and the

Department of Public Safety, it took four months to develop a definition of the term "in the field." Furthermore, he stressed that the Board could more appropriately implement required laws and information. To clarify this point, he recounted a situation in which a guide had a permanent home by a lake on remote property, which was accessible only by floatplane or boat. Continuing, he disclosed that the question of whether this home was "in the field" arose, and contrary to Mr. Urion's opinion, the ruling was that because it was a permanent home rather than a camp, it was ruled "not in the field." He attested that situations like this are very frustrating to the Division. In summary, he stated that whether or not a Board were established, the Division concurs with the guiding industry's position that assistance must be provided to address guidelines, enforcement, and communication between the various enforcement agencies.

Senator Bunde asked whether the Division's law enforcement concern lies with its inability to remove violator's guide licenses. He noted that law enforcement officials enforce and prosecute violations.

Mr. Urion affirmed that the Department of Public Safety does conduct the majority of the field enforcement. He clarified that the Division is limited to issuing licenses and could only remove a license upon the determination that it was issued under fraudulent circumstances.

Mr. Urion reiterated that the Division receives numerous "justifiable" complaints to which, they currently, could "do nothing about."

Senator Bunde agreed that some enforcement in this regard is required. He stated that the Department of Public Safety does a good job of field enforcement.

Senator Bunde asked whether the Department's fiscal note, while small, could be supported by raising the cost of guide license fees.

Mr. Urion responded that, were a Board established, its expense would be offset by an increase in Guide licensing fees, as State law requires that expenses "associated with regulating a profession" be supported in such a manner.

Senator Hoffman asked regarding Board member appointments and term lengths.

Senator Hoffman also suggested that subsistence hunters be represented on the Board, as they would be affected by this legislation.

Representative Samuels responded that, as routine, the Governor would make the Board appointments.

Senator Hoffman observed that this is not explicitly stated in the bill.

Representative Samuels noted that the term timeframes are also not specified in the legislation, and that he would support an amendment specifying staggered, three-year terms if the Committee so desired. Otherwise, he surmised that the normal Board process would apply in this situation.

Senator Hoffman furthered his request that subsistence hunters be represented on the Board.

Representative Samuels pointed out that the Board make-up proposed in the Senate Resources committee substitute would consist of seven members, and he commented that the subsistence hunter issue could be resolved via the private landholder member representation. Continuing, he noted that during the Senate Resources Committee hearing, Native Corporation representation had been discussed as their lands are utilized by hunters; however, he continued, it was determined that the specification that the two members representing private landholders on the Board, would suffice in this regard. While stressing that the Board should remain balanced, he agreed with the recommendation that the transporter representation should match that of the guide representation, which is currently set at two.

Senator Hoffman pointed out that a Native Corporation landholder representative might not be a subsistence user.

Co-Chair Wilken noted that the question regarding who appoints the members and the composition of their initial and on-going terms should be further clarified.

HENRY WEBB, Staff to Representative Ralph Samuels and Aide, Legislative Budget & Audit Committee, informed the Committee that the appointments and the terms would follow established and State's standard board protocol for appointment and terms.

Co-Chair Wilken asked for specifics such as whether the terms would be staggered.

Mr. Webb understood that the appointments would be for four-year, staggered terms.

Co-Chair Wilken asked how the initial staggering of the newly created board of seven people would operate.

Mr. Urion pointed out that that this information is located in Sec. 41, page 26, beginning on line 29 and continuing through page 27, line 9, as follows.

Sec. 41. The uncodified law of the State of Alaska is amended by adding a new section to read:

INITIAL APPOINTMENT OF MEMBERS OF THE BIG GAME COMMERCIAL SERVICES BOARD. (a) Notwithstanding AS 08.54.591, added by sec. 3 of this Act, and AS 39.05.055, the initially appointed members of the Big Game Commercial Services Board shall be appointed by the governor to terms as follows: one member serves for one year, two members serve for two years, two members serve for three years, and two members serve for four years.

(b) The governor shall appoint the initial members of the Big Game Commercial Services Board, as provided for under AS 08.54.591(a), added by sec. 3 of this Act, before December 1, 2004.

(c) The governor shall appoint persons who are active, licensed registered guides at the time of the appointment to fill the initial registered guide-outfitter positions on the Big Game Commercial Services Board.

Conceptual Amendment #1: This amendment alters the make-up of the seven-member board as specified in Sec. 3 (b)(2), on page two, beginning on line six by specifying that there be two licensed transporters on the Board instead of one.

This conceptual amendment further changes the make-up of the Board by reducing the private landholder Board members from two to one as noted in Sec. 3 (b) (4) on page two, line nine.

These proposed language changes would therefore read as follows.

(b) The board consists of seven members as follows:

(1) two members who are current, licensed registered guide-outfitters;

(2) two members who are licensed transporters;

(3) one member of the Board of Game who is chosen by the

Board of Game and who does not hold a guide or transport license;

(4) one member who represents private landholders affected by guided hunting activities or transportation services and who does not hold a license issued under this chapter; and

(5) one public member.

Co-Chair Wilken moved to adopt Amendment #1. He objected for discussion.

Senator Hoffman suggested that there be one rather than two members representing guide- outfitters as specified in (b)(1), and that a user group be incorporated into the Board's make-up.

Co-Chair Green voiced that this is an "industry-oversight board" rather than a user-oversight board. Furthermore, she stated that the Board of Game might more appropriately address Senator Hoffman's concerns as it currently oversees user groups.

Representative Samuels agreed with Co-Chair Green's comments as he asserted that this Board would address such things as codes of ethics, complaints from clients, and standards for the guiding industry. He noted that it has been argued that the inclusion of a public member, who might know little about Big Game issues, on the previous Big Game Board resulted in some problems. Therefore, he suggested that the Board might operate smoother were that position eliminated to allow for two transporter members on the Board.

Without objection, Co-Chair Wilken withdrew his motion to adopt Amendment #1.

Co-Chair Green asked Mr. Union whether, aside from the Division's concern about contracts, there are any other industry issues or violations of law that should be addressed to assist the Division in its efforts to manage this industry. She voiced that firearm issues are already addressed by the State and that the guide standards should meet the level expected of a private citizen. In summary, she declared that she is not convinced that another level of oversight should be implemented.

Mr. Union agreed that firearm violations are already addressed in law, however, he continued that there is nothing in regulation currently that could allow the Division to remove or deny a Guide's license were he or she convicted of a serious crime such as domestic violence.

Co-Chair Wilken noted that it would be beneficial to the sponsor

were he to review the legislation in order to determine whether the concerns raised by the Division of Occupational Licensing's investigative staff in the aforementioned memorandum are addressed by this legislation.

Co-Chair Green understood therefore that the concerns being addressed are the "views" of the Division rather than the concerns of those involved in the industry.

Co-Chair Wilken ordered the bill HELD in Committee.

#SR3

SENATE RESOLUTION NO. 3

Relating to commemoration of Senator Frank R. Ferguson and other distinguished Senators.

This was the first hearing for this bill in the Senate Finance Committee.

Co-Chair Wilken stated that this bill would allow a commemorative panel to be placed outside the Senate Finance Committee Room in honor of Senators who are specially recognized by the Alaska State Senate. Furthermore, he continued, it would allow for the inclusion of Senator Frank Ferguson's name on the panel.

Senator Olson, the bill's sponsor, shared that this bill is being introduced for two purposes: the first would be to recognize recently deceased Senator Frank Ferguson, "one of the State's most skilled legislators," for his contribution to the State and its citizens; and secondly, to acknowledge that the options for honoring individuals such as naming meeting rooms after them is limited in the Capitol building. Therefore, he continued, this resolution would allow for a large plaque to be displayed that would recognize distinguished senators who have contributed to the State.

Senator Olson displayed an example of the proposed plaque [copy not provided].

Co-Chair Wilken, noting that the bill has a zero fiscal note, asked whether the individuals would pay for the inclusion of their name.

Senator Olson stated that either that or private contributions would provide the necessary funding.

Amendment #2: This amendment deletes "on" and inserts "at" on page

two, line 24, and deletes "wall outside the Senate Finance Committee Room" and inserts "place inside the Capitol Building" on page two, line 24.

Senator Olson offered Amendment #2.

Co-Chair Wilken objected for discussion.

Senator Olson reviewed how the language would read.

Co-Chair Wilken removed his objection.

There being no further objection, Amendment #2 was ADOPTED.

Amendment #1: This amendment inserts the following language on page two, following line 22.

"WHEREAS the Alaska State Senate has had a significant role in the rich history of the state and the progress of its citizens through the individual and collective achievements of its members;

WHEREAS other senators also merit special recognition for past accomplishments;

Senator Olson moved for the adoption of Amendment #1.

Co-Chair Wilken objected for discussion.

Senator Olson read the proposed language.

Co-Chair Wilken removed his objection.

There being no further objection, Amendment #1 was ADOPTED.

Co-Chair Green asked whether a resolution would be required to add Senators' names in the future or would they would be automatically added upon their death.

Senator Olson responded that the intent is that additional names would be furthered via a Legislative Resolution.

Co-Chair Green understood, therefore, that a resolution would be required in order to add another name to the plague.

Senator Olson considered it to be "unfair" to automatically add a Senator's name upon their death, as he argued, the purpose of the plague, rather than being all-encompassing, is to honor those

considered to have had distinguished service.

Co-Chair Wilken qualified the question to be, how would one's name be included on the plaque.

Senator Bunde asked whether the inclusion would be posthumously.

Co-Chair Wilken stated that further qualifying language should be determined.

Co-Chair Wilken ordered the bill HELD in Committee.

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**Adjournment**

Co-Chair Gary Wilken adjourned the meeting at 10:17 AM.