

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES

February 23, 2007
8:40 a.m.

MEMBERS PRESENT

Representative Paul Seaton, Chair
Representative Kyle Johansen
Representative Gabrielle LeDoux
Representative Peggy Wilson
Representative Lindsey Holmes

MEMBERS ABSENT

Representative Craig Johnson
Representative Bryce Edgmon

COMMITTEE CALENDAR

HOUSE BILL NO. 137

"An Act amending the requirements for the identification card needed for sport fishing, hunting, and trapping without a license by residents who are 60 years of age or more."

- MOVED CSHB 137 (FSH) OUT OF COMMITTEE

HOUSE JOINT RESOLUTION NO. 4

Requesting the Federal Subsistence Board to reconsider its decision regarding the subsistence fishery priority given to Ninilchik residents.

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 137

SHORT TITLE: SENIOR FISHING/HUNTING/TRAPPING LICENSES

SPONSOR(s): FISHERIES

02/14/07	(H)	READ THE FIRST TIME - REFERRALS
02/14/07	(H)	FSH, RES, FIN
02/19/07	(H)	FSH AT 8:30 AM CAPITOL 124
02/19/07	(H)	-- Meeting Canceled --
02/23/07	(H)	FSH AT 8:30 AM CAPITOL 124

WITNESS REGISTER

KATHERINE SHOWS, Staff
to Representative Paul Seaton
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 137 on behalf of sponsor House Special Committee on Fisheries, Chair Paul Seaton.

KRISTIN WRIGHT, Licensing Supervisor
Division of Administrative Services
Alaska Department of Fish & Game
Juneau, Alaska

POSITION STATEMENT: Answered questions about HB 137.

ACTION NARRATIVE

CHAIR PAUL SEATON called the House Special Committee on Fisheries meeting to order at [8:40:53 AM](#). Representatives LeDoux, Wilson, and Holmes were present at the call to order. Representative Johansen arrived as the meeting was in progress.

HB 137-SENIOR FISHING/HUNTING/TRAPPING LICENSES

[8:41:21 AM](#)

CHAIR SEATON announced that the only order of business would be HOUSE BILL NO. 137, "An Act amending the requirements for the identification card needed for sport fishing, hunting, and trapping without a license by residents who are 60 years of age or more."

[8:42:17 AM](#)

KATHERINE SHOWS, Staff to Representative Paul Seaton, Alaska State Legislature, introduced HB 137, paraphrasing from the sponsor statement, which read as follows [original punctuation provided]:

The Permanent Identification Card (PID) is a permanent license that allows Alaskan seniors to enjoy the natural resources of this great state through hunting, fishing and trapping free of charge. However, as the program is currently structured, there are few safeguards to prevent abuse. Because the license is permanent, someone can get the card when they live in Alaska, move out of state and never have to pay for a license in Alaska on subsequent return visits. Also,

because there is no easily enforceable determination of Alaskan resident, non-residents can fraudulently apply for a card. This is not fair to seniors who live here year round that have the right to fish without the financial burden of a yearly license fee.

HB 137 changes the current PID statute from a permanent identification card to a temporary identification card. The license holder is required to renew the card every three years and must be eligible for the permanent fund dividend [PFD] to qualify for the free hunting/fishing/trapping card. Fish and Game will have a list of individuals who received the PFD to cross reference before issuing a free senior license. The program will be easier for Fish and Game to administer because they have a simple way to check for suspected fraud instead of enlisting the help of the overextended Wildlife Troopers. HB 137 will result in an increase of funds as out-of-state individuals will have to purchase their license.

More people have been issued a PID in the last 20 years than there are eligible residents [age 60 and over] in Alaska who receive the PFD. Anecdotal stories of abuse of this benefit include a Fish and Game clerk on the Kenai Peninsula who issued a PID to a senior who claimed he was a resident but that he did not own a drivers license to prove it. He then proceeded to get into the drivers seat of a car with out-of-state plates. The Fish and Game officer faxed the individual's information to the Wildlife Troopers, however they do not have the resources to persecute minor offenses such as fraudulent license applications, leaving the program with little means for checks and balances.

[8:46:04 AM](#)

MS. SHOWS explained that HB 137 will continue to allow senior Alaskans to receive a PID, and will clarify eligibility for the program by providing clear direction for seniors who move out of state. HB 137 makes enforcement of residency requirements easier and maintains the integrity of the program, she said.

REPRESENTATIVE WILSON moved to adopt Amendment 1, labeled 25-LS0118\C.1, Kane, 2/22/07, which read:

Page 1, line 12, following "resident":

Insert "must have lawfully received a permanent fund dividend in the previous year or"

Page 1, line 13:

Delete "AS 43.23.005"

Insert "AS 43.23.005(a)(3) - (7)"

[8:48:26 AM](#)

CHAIR SEATON objected for purposes of discussion.

MS. SHOWS explained that Amendment 1 was drafted to alleviate concerns held by the PFD division. Requiring that a senior PID applicant be successful by also being a PFD applicant may result in an influx of ineligible PFD applications. Amendment 1 requires that a PID applicant meet PFD eligibility standards, regardless of whether a PFD was received, as stipulated under AS 43.23.005(a)(3)-(7). This allows residents who do not apply for a PFD to be eligible for a PID. In response to a question from Representative Holmes, the committee was provided with a copy of AS 43.23.005. Ms. Shows explained that HB 137 does not include the requirements of AS 43.23.005(1)-(2) because those two requirements are related to the act of applying for a PFD. The intent of the amendment is to not allow mere application for a PFD to qualify a person for a PID. Therefore, Amendment 1 focuses on AS 43.23.005(a)(3)-(7) which sets forth residency criteria, such as stipulations for physical presence in the state.

REPRESENTATIVE HOLMES stated that the physical presence aspect is addressed in AS 43.23.005(a)(6), which requires that a person be in the state at all times during the qualifying year, except for absences as allowed under AS 43.23.005(a)(8).

CHAIR SEATON emphasized that not all seniors apply for the PFD, even though they are residents of the state and qualify for a PID.

[8:53:58 AM](#)

CHAIR SEATON withdrew his objection to Amendment 1.

There being no further objection, Amendment 1 was adopted.

REPRESENTATIVE LEDOUX asked what the PID program currently costs the state.

MS. SHOWS directed the committee's attention to an ADF&G committee handout indicating a revenue loss of \$137,827, due to program abuse. However, she stressed that this can only be estimated because ADF&G does not know how many ineligible PIDs are currently in use.

CHAIR SEATON noted that while the amount of \$137,000 is not significant, the public's perception of program abuse is a significant issue.

REPRESENTATIVE HOLMES questioned how a card holder's residency will be determined during the application process, as well as in the field.

[8:57:54 AM](#)

KRISTIN WRIGHT, Licensing Supervisor, Division of Administrative Services, Alaska Department of Fish & Game, (ADF&G), explained that under the provisions of the proposed bill, the PFD division will annually provide ADF&G with a file containing the names of PFD recipients. Before issuance of a PID, an applicant's name must appear in the PFD file; or if not, the applicant must utilize the alternative process of AS 43.23.005(3)-(7) to determine residency.

[8:58:36 AM](#)

CHAIR SEATON reminded the committee that the goal is to assure qualified licensing, and legal use of temporary licenses.

REPRESENTATIVE LEDOUX asked what the timeline for receiving a PID is, following application at an ADF&G office.

MS. WRIGHT indicated that a temporary license is valid for 60 days, and that a permanent card is mailed within two weeks of application. She opined that it should be an easy task to cross check applicant names against the PFD file. However, she said that a senior will not be able to use their license on the day they apply.

CHAIR SEATON inquired whether ADF&G could issue a temporary senior card on the day a person applies if ADF&G has immediate access to the PFD files.

MS. WRIGHT ventured that it may not be a problem to issue a temporary card on the day a person applies if the name is included in the PFD file. She said it may also be possible for a senior to apply via online, similar to the online application for a sport fishing license. Persons applying online receive a same day temporary license.

CHAIR SEATON observed that the application process described above would take care of most applicants in an efficient manner.

9:02:01 AM

REPRESENTATIVE LEDOUX sought assurance that ADF&G would check senior license applications against the PFD information.

MS. WRIGHT expressed confidence that the proposed residency checks will happen, and offered that the PFD division has assured ADF&G file availability. To a follow-up question, she answered that an applicant for a PID must have been in the state for the previous 12 months.

REPRESENTATIVE HOLMES recognized that passage of HB 137 will impose new methods for PID application, and asked how seniors would be made aware of the changes to the process.

MS. WRIGHT replied that this is still being contemplated and has yet to be reviewed by the Department of Law (DOL). However, one option being considered is to send letters to current PID holders every three years, to remind them of the need to renew their license. She stated that whether the provisions of HB 137 will apply to seniors already in the system is a discussion for the DOL.

CHAIR SEATON stated that the DOL will provide the necessary guidance, and if those who currently hold a PID are required to comply with aspects of HB 137, notification will be appropriately made.

9:06:33 AM

REPRESENTATIVE WILSON moved to report HB 137, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 137(FSH) was moved from committee.

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at [9:07:23 AM](#).