

ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE

March 28, 2008

3:31 p.m.

MEMBERS PRESENT

Senator Charlie Huggins, Chair
Senator Lyda Green
Senator Lesil McGuire
Senator Gary Stevens
Senator Bill Wielechowski
Senator Thomas Wagoner

MEMBERS ABSENT

Senator Bert Stedman, Vice Chair

COMMITTEE CALENDAR

CS FOR HOUSE BILL NO. 137(FIN) am

"An Act providing for free hunting and sport fishing licenses for active members of the Alaska National Guard; and 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; and providing for an effective date."

HEARD AND HELD

Confirmation Hearing

Big Game Commercial Services Board

Brenda Rebne

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 137

SHORT TITLE: 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
02/23/07	(H)	Moved CSHB 137(FSH) Out of Committee
02/23/07	(H)	MINUTE(FSH)

02/26/07 (H) FSH RPT CS(FSH) 2DP 1DNP 2NR
 02/26/07 (H) DP: WILSON, SEATON
 02/26/07 (H) DNP: JOHANSEN
 02/26/07 (H) NR: LEDOUX, HOLMES
 02/26/07 (H) FSH AT 8:30 AM BARNES 124
 02/26/07 (H) <Bill Hearing Canceled>
 03/12/07 (H) RES AT 1:00 PM BARNES 124
 03/12/07 (H) Moved CSHB 137(RES) Out of Committee
 03/12/07 (H) MINUTE(RES)
 03/14/07 (H) RES RPT CS(RES) 4DP 4NR
 03/14/07 (H) DP: SEATON, ROSES, WILSON, JOHNSON
 03/14/07 (H) NR: EDGMON, GUTTENBERG, KAWASAKI, GATTO
 03/27/07 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 03/27/07 (H) Heard & Held
 03/27/07 (H) MINUTE(FIN)
 03/28/07 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 03/28/07 (H) Scheduled But Not Heard
 03/29/07 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 03/29/07 (H) Moved CSHB 137(FIN) Out of Committee
 03/29/07 (H) MINUTE(FIN)
 04/02/07 (H) FIN RPT CS(FIN) NT 6DP 5NR
 04/02/07 (H) DP: GARA, FOSTER, CRAWFORD, THOMAS,
 MEYER, CHENAULT
 04/02/07 (H) NR: JOULE, NELSON, HAWKER, STOLTZE,
 KELLY
 02/27/08 (H) TRANSMITTED TO (S)
 02/27/08 (H) VERSION: CSHB 137(FIN) AM
 02/29/08 (S) READ THE FIRST TIME - REFERRALS
 02/29/08 (S) RES, FIN
 03/26/08 (S) RES AT 3:30 PM BUTROVICH 205
 03/26/08 (S) Heard & Held
 03/26/08 (S) MINUTE(RES)
 03/28/08 (S) RES AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

REPRESENTATIVE SEATON
 Alaska State Capitol
 Juneau, AK

POSITION STATEMENT: Sponsor of HB 137.

KRISTIN WRIGHT, Supervisor,
 Division of Finance and Licensing
 Alaska Department of Fish and Game (ADF&G)
 Anchorage, AK

POSITION STATEMENT: Commented on HB 137.

LIEUTENANT RODNEY DIAL
Alaska State Troopers
Department of Public Safety (DPS)
Ketchikan, AK

POSITION STATEMENT: Commented on HB 137.

MAJOR STEVE BEAR, Deputy Director
Division of Alaska Wildlife Troopers
Department of Public Safety (DPS)
Anchorage, AK

POSITION STATEMENT: Neutral position on HB 137.

MCHUGH PIERRE, Legislative Liaison
Department of Military & Veterans Affairs (DMVA)
Juneau, AK

POSITION STATEMENT: Supported HB 137.

BRENDA REBNE, Vice President
Corporate Affairs
Ahtna Incorporated
Anchorage, AK

POSITION STATEMENT: Nominee for the Big Game Commercial Services Board.

ACTION NARRATIVE

CHAIR CHARLIE HUGGINS called the Senate Resources Standing Committee meeting to order at [3:43:59 PM](#). Present at the call to order were Senators McGuire, Stevens, Wielechowski, Wagoner and Huggins.

HB 137-FISHING/HUNTING/TRAPPING LICENSES

[3:44:57 PM](#)

CHAIR HUGGINS announced CSHB 137(FIN)am to be up for consideration.

REPRESENTATIVE SEATON, sponsor of HB 137, recapped that this measure makes the free permanent senior hunting, fishing and trapping license renewable every five years. The problem with the current license is that it has no tie to its users' real residency. This ties issuance of a permanent senior license to the Permanent Fund dividend qualifications, which is a listing that can easily be checked by the agencies themselves. It doesn't expand who can get this list. So if troopers need to verify that somebody is legally qualified, they can call their

office where someone could immediately check its validity against a PFD qualification list.

He explained that the other part of the bill allows members of the Alaska National Guard and Army to get a resident license as well. This committee expressed interest in expanding the to the all Alaska reserve forces including the Army, Air Force, Navy, Marines and the Coast Guard. There is a total of 4,879 potential individuals who could get those licenses under that system - 399 from the Army Reserve, 164 from the Air Force Reserve, 78 from the Navy Reserve, 46 from the Marines Reserve and approximately 300 from the Coast Guard Reserve for a total of 987.

[3:47:43 PM](#)

CHAIR HUGGINS asked if he had asked the Division of Motor Vehicles about cross checking these against drivers' licenses.

REPRESENTATIVE SEATON answered that requirement would be superfluous under this measure, because they already use the PFD qualifications for residential verification.

CHAIR HUGGINS said he got a call the other day from someone who was concerned about what appears to be sort of a wholesale approach of just checking the PFD and that it's sort our local Alaska databank. He tended to agree with the person. He asked if that has come up in any conversation.

REPRESENTATIVE SEATON answered yes; that has come up. The question is if the state will somehow be supplying the PFD database to people selling licenses and the answer is no.

SENATOR WAGONER pointed out when a person applies to get a PFD they know full well their name will go on the list. If they don't want it to go on the list, they shouldn't sign up for the PFD. That's the only way they can guarantee they won't be called up for jury duty, for instance. It's a very convenient list.

CHAIR HUGGINS said maybe it's a bad habit and maybe people should think about it.

[3:51:33 PM](#)

REPRESENTATIVE SEATON said the problem is that troopers have no good way to check for residency in the field.

[3:52:35 PM](#)

SENATOR GREEN joined the committee.

SENATOR STEVENS said people go on and off that list all the time and asked if the list would always be current.

REPRESENTATIVE SEATON answered the PFD application is for one year and those are in by March.

[3:55:18 PM](#)

CHAIR HUGGINS asked if he ever discussed being sending the PFD list to the ADF&G as soon as it comes in.

REPRESENTATIVE SEATON said he hadn't had that conversation; if troopers can verify in the field that a license is no longer valid, that would be good enough. He didn't want to put an administrative burden on the Permanent Fund Corporation to specifically contact the ADF&G.

CHAIR HUGGINS said he saw (Department of Public Safety) Deputy Commissioner Glass in town this week and asked what his position is on this issue.

REPRESENTATIVE SEATON replied that he hadn't talk with him.

[3:57:59 PM](#)

SENATOR WAGONER asked if this becomes a five-year program and his license was issued February 2006, does that mean he has to start the five years over again or would he get it renewed five years from the date his was issued.

REPRESENTATIVE SEATON answered that the fiscal note indicates a larger amount for the first year and that is because everyone would get checked against the PFD and everybody would get a letter saying their PIDs are no longer valid and giving them the new one.

[3:59:09 PM](#)

KRISTIN WRIGHT, Finance and Licensing Supervisor, Alaska Department of Fish and Game (ADF&G), added that Senator Green asked if this could be an administrative code change and she checked with Kevin Saxby, Department of Law (DOL), who concurred with Legislative Legal Services that since the AS 16.05.400 says "permanent" language couldn't be done by administrative change.

CHAIR HUGGINS indicated there were no questions on Representative Seaton's letter dated March 27, 2008.

MS. WRIGHT said she hadn't done a revised fiscal note because she was waiting on the decision of three or five years. She

estimated the reserve list would cost another \$4,500 (in lost revenue).

[4:01:58 PM](#)

SENATOR GREEN asked if the CS contained the five year time frame.

CHAIR HUGGINS replied no; the five years is still an amendment.

[4:02:24 PM](#)

LIEUTENANT RODNEY DIAL, State Trooper, Ketchikan, asked to defer questions to Major Steve Bear who could more accurately answer them on this law.

[4:03:35 PM](#)

MAJOR STEVE BEAR, Deputy Director, Division of Alaska Wildlife Troopers, Anchorage, said the department has a neutral position on HB 137. He said it has concerns with the permanent license, because they run into difficulty when folks move out of state and come back with their permanent I.D. card that doesn't have instructions for them to turn it in when they leave the state; their defense is that they had no idea they were supposed to do that. So, some change is needed.

[4:05:04 PM](#)

CHAIR HUGGINS asked how many people used the permanent I.D. invalidly.

MAJOR BEAR replied it's hard to come up with hard numbers, but anecdotally last summer a trooper checked an I.D. card on the river bank and happened to notice the gentlemen also had in his wallet an Arizona drivers' license. He learned that both the husband and wife lived out of state for a few years. This was their first trip back to Alaska and they were under the impression it was a permanent license issued to them forever. Even though the trooper seized the card, the district attorney was not willing to charge them with anything. Looking at the lack of instructions on the application, he thought it was reasonable of them to think it was permanent.

CHAIR HUGGINS asked if there is another way to fix this.

MAJOR BEAR answered that at least some language on the application would have to give instructions to people about what to do when they no longer remain in Alaska. They have also run permanent licenses that aren't in the ADF&G database anymore and

couldn't ascertain if they were issued validly in the first place. So, that would need some change.

4:07:28 PM

SENATOR STEVENS asked what a trooper would do if he were presented with an unending license even if the law was changed to require renewal every three years.

MAJOR BEAR replied that permanent licenses would no longer be valid.

MS. WRIGHT came forward and explained the department would issue new card that have an expiration date printed on them and that would make the old cards invalid.

SENATOR WAGONER said the new card could say what to do if a person no longer lived in the state.

MS. WRIGHT answered yes. They already have a statement on the card that says it is no longer valid if you are no longer a resident. But there is no way to check that.

SENATOR WAGONER said he has a permanent I.D. now and suggested saying "you must surrender this card" if you leave the state; a lot of licenses say that already.

SENATOR STEVENS said he suspected there would be at least one grumpy old senator who would hang on to it.

MS. WRIGHT quipped that would be a public safety question. She thought Major Bear could elaborate on what would happen in the field upon being presented an old card.

SENATOR STEVENS asked what would happen if someone like Senator Wagoner would be in violation of the law.

4:12:20 PM

MAJOR BEAR answered if someone presented a trooper an old card in the field, first he would ask to see if the person was aware that new cards were issued and find out if they were notified. The trooper wouldn't automatically think it's an invalid card and they all realize it would take several years to get switched over to them.

SENATOR STEVENS suggested something like a Tier II system.

SENATOR WAGONER said if he gets a new card he wants it to be Number 0001.

[4:14:07 PM](#)

SENATOR GREEN said this would not be a problem if the I.D.s weren't being offered for free. She didn't understand why the state does this in the first place. She asked if Senator Wielechowski gets a new fishing license every year.

SENATOR WIELECHOWSKI answered yes he does.

SENATOR GREEN remarked why everyone else wouldn't do that if it was for free.

CHAIR HUGGINS commented that they were encouraging grandfathers to take their granddaughters hunting and fishing.

SENATOR WAGONER said doing this on a five-year basis would save a lot of money administratively.

CHAIR HUGGINS directed the committee to the other half of this bill, which concerns Alaskan military personnel.

[4:15:58 PM](#)

MCHUGH PIERRE, Legislative Liaison, Department of Military & Veterans Affairs (DMVA), said the department supported HB 137.

[4:16:33 PM](#)

CHAIR HUGGINS said Amendment 1 had two elements in it; one identifies the reservists as a recipient of the same privilege and the other regards the length of the issuance of a license. He asked if the DMVA supported it.

MR. PIERRE answered yes the department supports Amendment 1 fully. The current language will make it easier to enforce in determining whether a member of the reserves is an active member in good standing.

SENATOR STEVENS moved to adopt Amendment 1, 25-LS0118\FA.1, for discussion purposes as follows:

AMENDMENT 1

OFFERED IN THE SENATE

BY SENATOR HUGGINS

TO: CSHB 137(FIN) am

Page 1, line 2, following "**Guard**":

Insert "**and military reserves**"

Page 2, line 22, following "Guard":

Insert "**and military reserves**"

Page 2, line 31:

Following "the":

Insert "(A)"

Following "Guard"

Insert ";

(B) Army Reserves;

(C) Air Force Reserves;

(D) Navy Reserves;

(E) Marine Reserves; or

(F) Coast Guard Reserves"

Page 3, line 13:

Delete "three"

Insert "five"

There were no objections and Amendment 1 was adopted.

[4:18:52 PM](#)

SENATOR WIELECHOWSKI asked how the ADF&G would verify who is in the reserves.

MR. PIERRE answered that members would have to present a form to the ADF&G office signed by his or her commander stating they are a member in good standing. Military code has penalties relating to honoring their six or eight-year tour of duty.

CHAIR HUGGINS went to the part of Amendment 1 that changed three years to five years and explained that functionally if you get one when you are 60, the numbers of licenses issued to people between 65-70 years of age would diminish dramatically. So, it would basically require one renewal in exchange for reducing the turmoil factor for ADF&G personnel checking PFD records.

SENATOR MCGUIRE asked why not simply give people a two-year grace period to go in and get a new card. She didn't want to have additional administrative costs.

REPRESENTATIVE SEATON responded that the question is do they simply send people a notice and have them send back a card, then the new card gets sent to them. That would double the mailing costs.

SENATOR MCGUIRE said that was not her point; the state doesn't send notification to everyone when the speed laws change or when it has raised a certain crime from a misdemeanor to a felony. Why would the state be in the business of notifying anyone and why would it automatically send a PID card? Why not simply change the law and let the process take its course?

REPRESENTATIVE SEATON replied that was one of the original considerations and it was thought notification might be nice since these were issued as permanent identification cards. They want to get away from the situation where the permanent ones are out there, because everyone would have had notice that it is no longer valid based on PFD residency.

[4:24:56 PM](#)

SENATOR WIELECHOWSKI agreed with Senator Green if the goals are to prevent fraud and keep the costs down. People go in and fill out a form that is for one year. It would have no mailing costs and be simpler and that's the way he gets his license every year any way.

REPRESENTATIVE SEATON said he believes there is a problem with these permanent identification cards and he is trying to solve it.

SENATOR WIELECHOWSKI clarified his argument saying let's keep it free, but have people just go in to the office and fill out their forms every year like everybody else does.

SENATOR WAGONER suggested doing it on a one-year basis by putting another box on their card to get punched. This is the way they choose licensing for hunting, fishing and trapping now. He said some people forget sometimes and he pointed out that the drivers' licenses are on a five-year rotation and the state sends automatic renewal notices to drivers.

CHAIR HUGGINS asked if there were objections to Amendment 1.

[4:28:28 PM](#)

SENATOR GREEN objected and moved to split it in two parts. Amendment 1A would be the first lines about the reserves and Amendment 1B would delete "three" and insert "five" on page 3, line 13. There were no objections and it was so ordered.

CHAIR HUGGINS asked if there were any objections to Amendment 1A. There were no objections so it was adopted.

CHAIR HUGGINS announced that Amendment 1B was before the committee.

SENATOR GREEN objected saying she would like to put in one year, but she certainly wouldn't go from three to five.

SENATOR WAGONER said the licenses are already printed for this year and they might not have time to change it administratively, but he agreed with Senator Green's basic concept.

MS. WRIGHT clarified if they change it to one year, lines 4-7 about looking at the PFD would have to be deleted.

[4:31:18 PM](#)

SENATOR GREEN said by saying "no" to this amendment, she is maintaining it at three years and discussion about one year would come after this.

SENATOR MCGUIRE reminded them that on page 4, line 22, section 9 makes it clear that section 4 of the act does not take effect until January 1, 2009.

SENATOR STEVENS objected to the motion.

[4:32:15 PM](#) at ease [4:33:50 PM](#)

CHAIR HUGGINS explained that a yes vote means it will go to five years and a no vote will maintain the three years.

SENATOR STEVENS commented that the chair made a perfectly sound comment when he said if they go to five years, people won't be renewing very often. He saw nothing wrong with five years.

A roll call vote was taken. Senators Wagoner, Stevens, and Huggins voted yea; Senators Wielechowski, McGuire and Green voted nay; so Amendment 1B failed to be adopted.

CHAIR HUGGINS announced that CSHB 137(FIN)am would be set aside.

At ease from [4:35:20 PM](#) to 4:41:00 PM.

Confirmation Hearing - Big Game Commercial Services Board

[4:41:04 PM](#)

CHAIR HUGGINS announced Brenda Rebne's confirmation hearing for the Big Game Commercial Services Board. She was appointed in January 28, 2008 and would have a term until March 1, 2012.

BRENDA REBNE, Vice President, Corporate Affairs, Ahtna Incorporated, said she was contacted by the governor's office about this appointment and she would represent Ahtna as the large land owner on that board. She related that she currently attends Alaska Pacific University in a Bachelor's degree program in business management. She has worked for Ahtna Inc. since 1999 and is the village services coordinator based out of Cantwell, her home town. She has filled her current position for four years. She hunts and fishes and attends Board of Game meetings pretty regularly. While she is not a sports hunter, she felt her experience would be beneficial to this board. She has been a land resource manager for Ahtna for a long time and is familiar with permitting.

SENATOR GREEN asked if she turned her application in to the Office of Boards and Commissions on her own or was she asked.

MS. REBNE answered she was asked to apply.

CHAIR HUGGINS asked why someone would ask her to apply.

MS. REBNE said she was asked because of her position at Ahtna Inc. Because it is a large land owner that is heavily impacted by not only by sport and non-resident hunting, but subsistence hunting as well. She has a well-balanced background in that area. Ahtna is very heavily impacted because it is on the road system.

SENATOR STEVENS said she is applying for a position in which she will represent all Alaskans, not just the Ahtna Corporation and asked if she would be comfortable making a decision that Ahtna wouldn't be happy with.

MS. REBNE answered that she was being asked to sit on the board to bring that perspective to it.

CHAIR HUGGINS said he reads it to mean "represent private land owners affected by guided hunting and transportation activities and services."

MS. REBNE responded the Ahtna is a private land owner.

CHAIR HUGGINS said that she is being asked to represent whoever fits that description - as being private land holders and not just her organization.

MS. REBNE replied that she believed the issues for all private land owners are the same.

CHAIR HUGGINS asked to talk a little about her being fined in 2007 for shooting a moose.

MS. REBNE answered yes. She shot a sublegal moose and turned herself in. The charges were reduced to a violation and she received a \$500 fine; the meat was distributed to local community members in Cantwell.

CHAIR HUGGINS asked if she shot it on private land holdings.

MS. REBNE answered yes. She turned herself in.

CHAIR HUGGINS asked if she thought that conflicts her out and if she felt comfortable that people wouldn't bring that up while she was on the board.

MS. REBNE replied, "I wouldn't think that it would be - that it would have anything to do with it. A mistake is a mistake. I certainly didn't do that on purpose and I did everything I was supposed to do; so I'm not too concerned about that."

CHAIR HUGGINS asked if she is not a sports hunter.

MS. REBNE replied she is not a sport hunter and only hunts for her family.

[4:49:10 PM](#)

CHAIR HUGGINS asked if she needed a hunting license to hunt on that private land and to explain what a sublegal moose is.

MS. REBNE replied that she needed a hunting license on private land. She said that Unit 15 has a 50-inch requirement and the horns were smaller.

CHAIR HUGGINS asked if there is a browse time provision.

MS. REBNE replied it has to be either 50 inches or before browse time.

CHAIR HUGGINS said it didn't meet either of those obviously and she paid a \$500 fine.

MS. REBNE replied yes.

CHAIR HUGGINS asked if other aspects of her life experiences would be valuable to her serving on the Big Game Commercial Services Board.

[4:50:36 PM](#)

MS. REBNE replied that she would bring a different perspective to the board in terms of her experiences in representing Ahtna.

CHAIR HUGGINS said there are two annual meetings at a minimum and a maximum of 14 days and asked if she could meet the time requirements of meetings.

MS. REBNE answered yes.

CHAIR HUGGINS said it appears she would be compensated for standard travel and per diem.

[4:51:25 PM](#)

SENATOR STEVENS asked if she were appointed to this position would this become part of her job description with Ahtna and would she be compensated for attending these meetings by her employer.

MS. REBNE replied, "Not if I'm being compensated by the State of Alaska for my travel and per diem."

SENATOR STEVENS said then it's not a part of her job.

MS. REBNE replied no.

[4:52:00 PM](#)

SENATOR WAGONER said in keeping with his past testimony on members of boards and commissions, he couldn't support her because of her conviction for shooting an undersized and illegal moose. He didn't support anyone on a board who did similar actions and couldn't in good conscience support her.

CHAIR HUGGINS thanked her and said they let her know if they had further questions. He adjourned the meeting at [4:53:56 PM](#).