

HB

476

DATE: 4/28/90

FURTHER: Finance

DATE TURNED INTO OFFICE: 4/30/90

Resources

Committee considered

CSHB 476 (Resources)

"An Act relating to members of the Board of Fisheries and the Board of Game."

and recommended:

replace with _____ CS
 or adopt _____ CS

same title
 new title
 technical title change (HB only)

attached amendment(s)
 Resources letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

APPROVES PREVIOUS:

Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

Governor's bill w/fiscal note

SIGNING DO PASS:

[Signature]
[Signature]
[Signature]

OTHER RECOMMENDATIONS:

[Signature]
[Signature]

[Signature]

Chair: Signature and Recommendation

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An act relating to members of
the Board of Fisheries and the Board..."
Sponsor: Davidson
Requestor: _____

Agency Affected: _____
BRU: Boards of Fisheries and Game
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	134.0	134.0	134.0	134.0	134.0	134.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	134.0	134.0	134.0	134.0	134.0	134.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	134.0	134.0	134.0	134.0	134.0	134.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No FY 90 impact. See attached.

Prepared by: Laird A. Jones
Division: Boards

Phone: 465-4110
Date: 04/11/90

Approved by Commissioner: [Signature]
Agency: Fish and Game

Date: 04/11/90

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CSHB 476 BOARDS OF FISHERIES AND GAME

BOARD OF FISHERIES (7 MEMBERS)

Current

89 DAYS AT \$150 PER DAY	\$ 93,450
3 DAYS AT \$100 PER DAY	2,100
TOTAL	\$ 95,550

Proposal

89 DAYS AT RANGE 22, STEP A - \$189	\$117,747
3 DAYS AT 1/2 RANGE 22, STEP A - \$95	1,995
92 DAYS AT \$100 PER DAY PER DIEM	64,400
TOTAL	\$184,142

Increased costs resulting for Board of Fisheries \$ 88,592

BOARD OF GAME (7 MEMBERS)

Current

45 DAYS AT \$150 PER DAY	\$ 47,250
3 DAYS AT \$100 PER DAY	2,100
TOTAL	\$ 49,350

Proposal

45 DAYS AT RANGE 22, STEP A - \$189	\$ 59,536
3 DAYS AT 1/2 RANGE 22, STEP A - \$95	1,995
48 DAYS AT \$100 PER DAY PER DIEM	33,600
TOTAL	\$ 95,131

Increased costs resulting for Board of Game \$ 45,781

GRAND TOTAL \$134,373

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: "An act relating to members of
 the Boards of Fisheries and Game."
 Sponsor: Governor
 Requestor: _____

Agency Affected: Fish and Game
 BRU: Boards of Fish and Game
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	145.1	145.1	145.1	145.1	145.1	145.1
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	145.1	145.1	145.1	145.1	145.1	145.1
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	145.1	145.1	145.1	145.1	145.1	145.1
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No FY 90 impact.

Prepared by: Beverly D. Relume *Beverly Relume*
 Division: Administration

Phone: 465-4120
 Date: 3-21-90

Approved by Commissioner: Walter M. Wilson *Walter M. Wilson*
 Agency: Fish and Game

Date: 3/22/90

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

SB 369 BOARDS OF FISHERIES AND GAME

BOARD OF FISHERIES - 7 MEMBERS

CURRENT

83 DAYS AT \$150 PER DAY	\$87,150	
22 DAYS AT \$100 PER DAY	\$15,400	
TOTAL		\$102,550

PROPOSED

105 DAYS AT \$150 PER DAY HONORARIUM	\$110,250	
105 DAYS AT \$125 PER DAY PER DIEM	\$91,875	
TOTAL		\$202,125

INCREASED COSTS RESULTING FROM SB 369 FOR BOARD OF FISHERIES \$99,575

BOARD OF GAME - 7 MEMBERS

CURRENT

38 DAYS AT \$150 PER DAY	\$39,900	
10 DAYS AT \$100 PER DAY	\$7,000	
TOTAL		\$46,900

PROPOSED

49 DAYS AT \$150 PER DAY HONORARIUM	\$50,400	
48 DAYS AT \$125 PER DAY PER DIEM	\$42,000	
TOTAL		\$92,400

INCREASED COSTS RESULTING FROM SB 369 FOR BOARD OF GAME \$45,500

GRAND TOTAL \$145,075

39.26.020

§ 39.27.010

PUBLIC OFFICERS AND EMPLOYEES

§ 39.27.011

Sec. 39.27.010. Basic salary schedule. [Repealed, § 12 ch 80 SLA 1978. For current law covering the subject matter, see AS 39.27.011.]

Sec. 39.27.011. Salary schedule. (a) The following monthly basic salary schedule is approved as the pay plan for classified and partially exempt employees in the executive branch of the state government who are not members of a collective bargaining unit established under the authority of the Public Employment Relations Act and employees of the legislature under AS 24.10 and AS 24.20:

Range No.	Step A	Step B	Step C	Step D	Step E	Step F
05	1,387	1,425	1,467	1,507	1,552	1,593
06	1,467	1,507	1,552	1,593	1,639	1,687
07	1,552	1,593	1,639	1,687	1,740	1,793
08	1,639	1,687	1,740	1,793	1,845	1,903
09	1,740	1,793	1,845	1,903	1,965	2,020
10	1,845	1,903	1,965	2,020	2,082	2,145
11	1,965	2,020	2,082	2,145	2,217	2,286
12	2,082	2,145	2,217	2,286	2,365	2,445
13	2,217	2,286	2,365	2,445	2,531	2,623
14	2,365	2,445	2,531	2,623	2,715	2,818
15	2,531	2,623	2,715	2,818	2,910	3,020
16	2,715	2,818	2,910	3,020	3,129	3,242
17	2,910	3,020	3,129	3,242	3,353	3,468
18	3,129	3,242	3,353	3,468	3,582	3,717
19	3,353	3,468	3,582	3,717	3,831	3,974
20	3,582	3,717	3,831	3,974	4,095	4,246
21	3,831	3,974	4,095	4,246	4,379	4,537
22	4,095	4,246	4,379	4,537	4,687	4,859
23	4,379	4,537	4,687	4,859	5,021	5,209
24	4,687	4,859	5,021	5,209	5,385	5,568
25	5,021	5,209	5,385	5,568	5,773	5,990
26	5,209	5,385	5,568	5,773	5,990	6,206
27	5,385	5,568	5,773	5,990	6,206	6,442
28	5,568	5,773	5,990	6,206	6,442	6,666
29	5,773	5,990	6,206	6,442	6,666	6,901
30	5,990	6,206	6,442	6,666	6,901	7,144

(b) [Repealed, § 38 ch 3 SLA 1980.]

(c) If a state officer or employee is appointed a deputy department head or a division director and, at the time of appointment, the officer or employee is receiving a salary higher than that set for the position to which appointment has been made, the officer or employee is entitled to continue receiving the higher salary. This subsection does not apply to the salary of a person appointed to a position other than a deputy department head or a division director. (§ 12 ch 148 SLA 1976; am § 1 ch 92 SLA 1977; am §§ 1, 16 ch 80 SLA 1978; am §§ 1, 16, 30,

SENATE RESOURCES COMMITTEE LETTER OF INTENT
CS HB 476 (Resources)

In passing CS HB 476 (Res), the Senate Resources Committee acknowledges the serious situation which has evolved regarding the personal sacrifices required of those who serve on the Alaska Boards of Fish and Game, and our desire to find ways to ease this situation.

The Resources Committee supports Alaska's system of strong, autonomous, lay Boards of Fish and Game. The state has been very fortunate that dedicated qualified individuals have always been willing to serve on the Boards of Fish and Game. But serving on these two boards is so different from serving on other state boards and commissions, and the demands of time, stress and personal expense are becoming so extreme, that a number of measures will need to be taken in order to make it possible for these boards to continue to function effectively as lay boards.

By slightly increasing the compensation received by the board members, CSHB 476 begins to address part of the hardship created by the very long regulatory meetings of the boards, and the large number of total days members must be away from home and jobs, and paying for hotels and restaurants. However, we believe that increased monetary compensation for board members is only one step towards solving the hardships that extended meetings cause to the board members, the public, and governmental staff and operations.

We urge the Boards of Fish and Game to pursue methods of "streamlining" their functions in ways which will not damage the quality of their decision-making or the public input process. The following are several areas which we would encourage the boards to consider:

- * The Board of Fish might be able to revise the schedule under which they consider regulatory areas to a minimum three year cycle, instead of the current two-year cycle. This may be effective in reducing the average number of meeting days required per year. It would be especially important to maintain a very clear and workable method for taking particular issues up earlier if the need (not necessarily an emergency) arises, and to assure the public that this mechanism is in place.

The Board of Game currently has a fairly well established set of regulatory cycles, but may benefit from reviewing them to see if any could be extended.

- * In recent years the boards have made an effort to set the submission deadlines for proposals as far in advance of regulatory meetings as feasible. We see that as an effective means of avoiding last minute "knee-jerk" proposals and encourage this practice whenever stable conditions make it appropriate.
- * When boards issue their "call for proposals" before a meeting, keep the scope of the areas to be considered as narrow and explicit as possible.
- * In conjunction with above item, the boards might consider prioritizing their work load by listing the areas of proposals to be taken up into categories ranging from crucial management issues down to very optional decisions. By giving notice of which category proposals will be in, the boards could take up the imperative categories for certain at the upcoming meeting, while retaining the option to simply not hear the lower priority items, or to hold them over for a future meeting, if time runs short.
- * Discontinue the practice of accepting and publishing proposals from lone individuals. Instead, for any proposal to be included in the process, require that it be sponsored either by a local Fish and Game advisory committee OR by 25 people. The names of all of the co-sponsors would then be printed with the proposal in the proposal book. This would ensure that there is a least a small constituency for every proposal before it is printed thousands of times, distributed statewide, and takes up the time of the board for consideration.
- * We recognize the potential benefits of board access to additional data for decision-making, particularly socio-economic data. This could be accomplished by either the creation of an additional staff position or with funding for contractual research. Either way, it would be desirable to have the research under the direction of the boards themselves. We would urge the boards to consider the value of such research, and how it might best be accomplished, and to report back to the Legislature.

We appreciate the dedication and hard work of past and present members of the Boards of Fish and Game, and encourage their efforts to seek ways to more efficiently handle their ever-increasing work load.

Signed,

Sen. Bettye Fahrenkamp, Chairman

Sen. Dick Eliason

Sen. Jay Kerttula

Sen. Fred Zharoff

Sen. Steve Frank

Sen. Arliss Sturgulewski

Sen. Rick Halford

Alaska State Legislature

SENATOR BETTYE FAHRENKAMP
CHAIRMAN, RESOURCES COMMITTEE
119 N. CUSHMAN STREET, SUITE 201
FAIRBANKS, ALASKA 99701
OFFICE (907) 452-4882
HOME (907) 456-2899



Senate

WHILE IN JUNEAU
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JUNEAU, ALASKA 99811
CAPITOL, ROOM 125
OFFICE (907) 465-3834
HOME (907) 780-6027

SENATE RESOURCES COMMITTEE LETTER OF INTENT CS HB 476 (Resources)

In passing CS HB 476 (Res), the Senate Resources Committee acknowledges the serious situation which has evolved regarding the personal sacrifices required of those who serve on the Alaska Boards of Fish and Game, and our desire to find ways to ease this situation.

The Resources Committee supports Alaska's system of strong, autonomous, lay Boards of Fish and Game. The state has been very fortunate that dedicated qualified individuals have always been willing to serve on the Boards of Fish and Game. But serving on these two boards is so different from serving on other state boards and commissions, and the demands of time, stress and personal expense are becoming so extreme, that a number of measures will need to be taken in order to make it possible for these boards to continue to function effectively as lay boards.

By slightly increasing the compensation received by the board members, CSHB 476 begins to address part of the hardship created by the very long regulatory meetings of the boards, and the large number of total days members must be away from home and jobs, and paying for hotels and restaurants. However, we believe that increased monetary compensation for board members is only one step towards solving the hardships that extended meetings cause to the board members, the public, and governmental staff and operations.

We urge the Boards of Fish and Game to pursue methods of "streamlining" their functions in ways which will not damage the quality of their decision-making or the public input process. The following are several areas which we would encourage the boards to consider:

- * The Board of Fish might be able to revise the schedule under which they consider regulatory areas to a minimum three year cycle, instead of the current two-year cycle. This may be effective in reducing the average number of meeting days required per year. It would be especially important to maintain a very clear and workable method for taking particular issues up earlier if the need (not necessarily an emergency) arises, and to assure the public that this mechanism is in place.

The Board of Game currently has a fairly well established set of regulatory cycles, but may benefit from reviewing them to see if any could be extended.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 8, 1990

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a sponsor substitute for SB 369, relating to members of the boards of fisheries and game. The sponsor substitute adds sec. 3 to the bill without changing the original sections. See my January 8, 1990 transmittal letter (1990 Senate Jour. 1998) for a description of the original bill.

Section 3 has two purposes. First, it sets the amount of per diem available to members of the Board of Fisheries and the Board of Game at the same level as other boards and commissions, and adds a \$400 honorarium in recognition of the fact that many members of these boards forego substantial income while serving on the board. Without this increase in compensation, we believe that we cannot attract the interest of the leaders in the fishing industry and leaders in game management in serving on the respective boards. \$400 a day is the amount currently paid to members of the North Pacific Fishery Management Council.

Section 3 also limits the honorarium to the first 50 days of board meetings in a calendar year. We believe that this should provide an incentive to the boards to complete their business within that time limit. The Board of Fisheries itself has informed us that, with its current workload, 40 days each year should be adequate.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper".

Steve Cowper
Governor

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: "An act relating to members of the Boards of Fisheries and Game."
 Sponsor: RULES Committee
 Requestor: Governor

Agency Affected: Fish and Game
 BRU: Boards of Fisheries and Game
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	220.5	225.0	225.0	225.0	225.0	225.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	220.5	225.0	225.0	225.0	225.0	225.0

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	220.5	225.0	225.0	225.0	225.0	225.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No FY 90 impact.

Prepared by: Beverly Reaume *Beverly Reaume* Phone: 465-4120
 Division: Administration Date: 02/06/90

Approved by Commissioner: Warren M. Wiley *Warren M. Wiley* Date: 02/06/90
 Agency: Fish and Game

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

SB 369 BOARDS OF FISHERIES AND GAME

CURRENT (14 BOARD MEMBERS)

65 DAYS AT \$150 PER DAY \$136,500

15 DAYS AT \$100 PER DAY \$21,000

TOTAL \$157,500

PROPOSED (14 BOARD MEMBERS)

50 DAYS AT \$400 PER DAY HONORARIUM \$280,000

50 DAYS AT \$80 PER DAY PER DIEM \$56,000

30 DAYS AT \$100 PER DAY PER DIEM \$42,000

TOTAL \$378,000

INCREASED COSTS RESULTING FROM SB 369 \$220,500



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 8, 1990

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to membership on the Board of Fisheries and the Board of Game. This bill was recommended by a committee of representatives of both boards, the Department of Fish and Game, and the governor's Fisheries Board Review Committee. The intention of that group was to recommend changes to make the two boards freer from any appearance of bias on the part of its members, and to make it clear that the governor has the authority to remove a board member who violates fish and game laws.

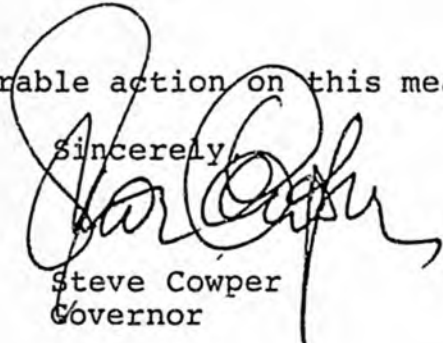
The first section of the bill amends AS 16.05.221 to affirm that any member of one of the boards who has an interest, financial or personal, in a matter before that board, is required to disclose the interest as provided for in AS 39.52.220 of the Executive Branch Ethics Act. Although such disclosure is already a legal requirement, placing it in AS 16.05.221 would emphasize the applicability of the conflict-of-interest provisions of the Executive Branch Ethics Act.

The second section of the bill, amending AS 16.05.280, clarifies that the governor may remove any member of the boards who is convicted of violating a fish and game law or regulation. There has been some confusion in the past about whether such a violation constituted misconduct in office or otherwise presented grounds for removal. Under this amendment, removal following a conviction is not automatic, but is left to the discretion of the governor, and the board

member may present evidence in his or her own behalf in order to convince the governor that removal is not warranted.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the word "Sincerely,".

Steve Cowper
Governor

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: "An Act Relating to Members
 of Boards of Fish and Game"
 Sponsor: Governor
 Requestor: Governor

Agency Affected: Fish and Game
 BRU: All
 Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0					
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	0					
PART-TIME	0					
TEMPORARY	0					

ANALYSIS : (Attach a separate page if necessary)

Enactment of this legislation will make it clear that violation of a fish and game law or regulation may be sufficient reason for the Governor to remove a member of the Board of Fisheries or Board of Game. It will have no fiscal impact on the Department of Fish and Game.

Prepared by: Warren W. Wiley Phone: 465-4100
 Division: Commissioner's Office Date: 12/26/89

Approved by Commissioner: *Warren W. Wiley* Date: 12/26/89
 Agency: Department of Fish and Game

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

AGENTS CONTINUING EDUCATION MODEL REGULATION

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Section I	Authority
Section II	Purpose
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Section V	Educational Requirements
Section VI	Compliance
Section VII	Penalty

Section I. Authority.

This regulation is promulgated pursuant to the authority granted to the Commissioner by Section(s) (insert applicable sections(s)) of the Insurance Law.

Section II. Purpose.

The purpose of this regulation is to establish requirements and standards for continuing education programs for natural persons licensed to solicit or sell insurance.

Section III Applicability.

This regulation shall apply to resident persons licensed to engage in the sale of the following types of insurance:

1. Life insurance, annuity contracts, variable annuity contracts and variable life insurance.
2. Sickness, accident and health insurance.
3. All lines of property and casualty insurance.
4. All other lines of insurance for which an examination is required for licensing.

Drafting Note: This regulation is not intended to include non-resident agents. Adoption of the model regulation by all states would in effect require all non-resident agents to comply with the requirements. States may want to consider inclusion of non-residents consistent with their reciprocity practices.

Section IV. Exceptions.

This regulation shall not apply to those natural persons holding resident licenses for any kind or kinds of insurance for which an examination is not required by the law of this state, nor shall it apply to any such limited or restricted license as the Commissioner may exempt.

Section V. Educational Requirements.

(A) Resident persons licensed to sell insurance and not exempt under Section IV hereof shall annually satisfactorily complete such courses or programs of instruction as may be approved by the Commissioner in the minimum number of classroom hours as follows:

- (1) Any person holding a license issued for (a) life and/or health insurance, or (b) property and/or casualty insurance, or (c) any combination thereof, issued subsequent to the effective date of this regulation shall during each of the first four 12-month periods following the date of its original issue satisfactorily complete courses or programs of instruction or attend seminars equivalent to a minimum of 25 classroom hours of instruction, with a maximum of 100 accumulated classroom hours for the 48 month period.
- (2) Any person holding a license issued for (a) life and/or health insurance, or (b) property and/or casualty insurance, or (c) any combination thereof, issued prior to the effective date of this regulation, or who has complied with Subsection A.I. above, shall for each 12-month period satisfactorily complete courses or programs of instruction or attend seminars equivalent to 15 classroom hours of instruction.

- (B) The courses or programs of instruction successfully completed which shall be deemed to meet the Commissioner's standards for continuing educational requirements and the number of classroom hours for which they are equivalent are:
- (1) Any part of the Life Underwriter Training Council Life Course Curriculum -- 50 hours; Health Course -- 25 hours.
 - (2) Any part of the American College "CLU" diploma curriculum -- 30 hours.
 - (3) Any part of the Insurance Institute of America's program in general insurance -- 25 hours.
 - (4) Any part of the American Institute for Property and Liability Underwriters' Chartered Property Casualty Underwriter (CPCU) professional designation program -- 30 hours.
 - (5) Any part of the Certified Insurance Counselor program -- 25 hours.
 - (6) Any insurance related course approved by the Commissioner taught by an accredited college or university per credit hour granted -- 15 hours.
 - (7) Any course or program of instruction or seminar developed and/or sponsored by any authorized insurer, recognized agents association or insurance trade association or any independent program of instruction, shall, subject to the approval of the Commissioner, qualify for the equivalency of the number of classroom hours assigned thereto by the Commissioner.
 - (8) Any correspondence course approved by the Commissioner shall qualify for the equivalency of the number of classroom hours assigned thereto by the Commissioner.
- (C) A person teaching any approved course of instruction or lecturing at any approved seminar shall qualify for the same number of classroom hours as would be granted to a person taking and successfully completing such course, seminar or program.

Section VI. Compliance.

- (A) Any person previously licensed to sell insurance whose license was not in effect on the effective date of this regulation shall comply with all of the terms and requirements of Section V(A)(1) of this regulation.
- (B) Any person previously licensed to sell insurance whose license was in effect on the effective date of this regulation, or who has complied with Section V(A)(1), shall comply with all of the terms and requirements of Section V(B)(2) of this regulation, even though such person may, subsequent to the effective date of the regulation, become licensed for an additional kind or kinds of insurance.
- (C) Excess classroom hours accumulated during any one year period may be carried forward to the next year.
- (D) For good cause shown, the Commissioner may grant an extension of time during which the requirements imposed by Section V(A) may be completed, but such extension of time shall not exceed the period of one year.
- (E) Every person subject to this regulation shall furnish, in a form satisfactory to the Commissioner, written certification as to the courses, programs or seminars of instruction taken and successfully completed by such person. Such certification shall be executed by or on behalf of the sponsoring organization.

Section VII. Penalty.

Any person failing to meet the requirements imposed upon him by this regulation and who has not been granted an extension of time within which to comply pursuant to Section VI hereof, or who has submitted to the Commissioner a false or fraudulent certificate of compliance

therewith shall, after a hearing thereon which hearing may be waived by such person, be subjected to the suspension of all licenses issued for any kind or kinds of insurance, and no further license shall be issued to such person for any kind or kinds of insurance until such time as such person shall have demonstrated to the satisfaction of the Commissioner that he has complied with all of the requirements of this regulation and all other laws applicable thereto.

Drafting Note: The following enabling statute was drafted by the NAIC Task Force on Continuing Education for those states which do not have the authority, under present laws, to adopt the regulation on continuing education, but is not an official NAIC Model Act:

"Be it enacted by the legislation of the State of _____: (Adopt citation and formal portions to local requirements and statutes).

For the protection of the people of this state, the Commissioner shall not permit a person to continue as licensed to sell insurance pursuant to _____, or _____ (insert appropriate agent's licensing statutes) unless such person has demonstrated, to the satisfaction of the Commissioner, that in addition to meeting the standards contained in the above enumerated sections for the issue of such license such person has continued to meet such additional educational requirements as the Commissioner may prescribe by regulation adopted pursuant hereto for the purpose of maintaining or improving such person's insurance skills or knowledge."

Legislative History (all references are to the Proceedings of the NAIC).

1978 Proc. II 31, 34, 265, 275, 277-279 (adopted).

Model Regulation Service - July 1989

AGENTS CONTINUING EDUCATION MODEL REGULATION

The date in parentheses is the effective date of the legislation or regulation, with latest amendments.

NAIC MEMBER	MODEL/SIMILAR LEGIS.	RELATED LEGIS./REGS.
Alabama	NO ACTION TO DATE	
Alaska	NO ACTION TO DATE	
Arizona	NO ACTION TO DATE	
Arkansas		HB 1243 (1989).
California	NO ACTION TO DATE	
Colorado	NO ACTION TO DATE	
Connecticut	NO ACTION TO DATE	
Delaware		DEL. INS. REG. 47 (1985/1986); <u>See also</u> DEL. CODE ANN. tit. 18 § 1725 (1959/1984) and INS. BULL. 85-2 & 85-3 (1985); BULL. 87-10 (1988).
D.C.	NO ACTION TO DATE	
Florida	FLA. STAT. § 626.2815 (1989).	
Georgia		GA. CODE ANN. § 33-23-11 (1981) GA. ADMIN. COMP. ch 120-2-2-.15 (1982); <u>See</u> <u>also</u> Directive 82-EX-3.
Guam	NO ACTION TO DATE	
Hawaii	NO ACTION TO DATE	
Idaho		IDAHO INS. REG. 53 [IDAPA 18.A.53] (1987); BULL. 88-4 (1988)
Illinois		ILL. ADMIN. REG. tit. 50 § 3119 (1985).
Indiana	NO ACTION TO DATE	

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NAIC MEMBER	MODEL/SIMILAR LEGIS.	RELATED LEGIS./REGS.
Iowa		IOWA ADMIN. CODE §§ 191-11.1 to 191-11.11 (1982/1985).
Kansas		KAN. STAT. ANN. §§ 40-240a to 40-240e (1976/1988).
Kentucky	KY. REV. STAT. ANN. 304.9-295 (1986/1988).	
Louisiana	NO ACTION TO DATE	
Maine	NO ACTION TO DATE	
Maryland		MD. ADMIN. CODE tit. 9 subtit. 30 ch. 74 §§.01 to .12 (1987).
Massachusetts	MASS. GEN. LAWS ch. 175 § 177E (1982).	<u>See also</u> 211 CODE of MASS. REGS. 50:01 to 50:08 (1987).
Michigan	NO ACTION TO DATE	
Minnesota		MINN. INS. REG. §§ 2725.0100 to 2725.0240 (1985/1987).
Mississippi	MISS INS. REG. L A & H 80-002 (1980) (Life and health only).	
Missouri		MO. REV. STAT. § 375.020 (1988).
Montana	NO ACTION TO DATE	
Nebraska		NEB. REV. STAT. §§ 44-3901 to 44-3908 (1982/1985); <u>See also</u> NEB. ADMIN. R. tit. 210 ch. 38 (1983).
Nevada		NEV. REV. STAT. 683A.270 (4) (1981) (Commissioner given authority to promulgate regulation).

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NAIC MEMBER	MODEL/SIMILAR LEGIS.	RELATED LEGIS./REGS.
New Hampshire	N.H. ADMIN. CODE INS. 1302.01 to 1302.11 (1986/1988).	
New Jersey	NO ACTION TO DATE	
New Mexico		N.M. STAT. ANN. 59A-12-26 (1985/1989); N.M. INS. REGS. Ch. 59A Art. 12 Rule 1 (1985) [SCC-85-11].
New York	NO ACTION TO DATE	
North Carolina		N.C. GEN. STAT. §§ 58-635 to 58-636 (1989) (Commissioner may adopt regulation).
North Dakota		N.D. CENT. CODE §§ 26.1-26-31.1 to 26.1-26-31.5 (1985/1987); N.D. ADMIN. CODE § 45-02-04 (1986/1989).
Ohio	NO ACTION TO DATE	
Oklahoma		OKLA. INS. REGS. Part VI RULE 36-14-1 (1989).
Oregon		OR. ADMIN. R. 836-71-600 to 836-71-645 (1978).
Pennsylvania	NO ACTION TO DATE	
Puerto Rico		P.R.R. RULE LII (1983).
Rhode Island	R.I. GENERAL LAWS §§ 27-3.2-1 to 27-3.2-10 (1989) (Eff. 6-1-90) (Some is model).	
South Carolina	NO ACTION TO DATE	

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NAIC MEMBER	MODEL/SIMILAR LEGIS.	RELATED LEGIS./REGS.
Tennessee	TENN. ADMIN. COMP. ch. 0780-1-42 (1980) (Life and health agents only).	
Texas		28 TEX. ADMIN. CODE §§ 19.1001 to 19.1011 (1988).
Utah	NO ACTION TO DATE	
Vermont	NO ACTION TO DATE	
Virgin Islands	NO ACTION TO DATE	
Virginia	NO ACTION TO DATE	
Washington		WASH. ADMIN. CODE R. §§ 284-17-200 to 284-17-320 (1980/1987). (New regulation pending 1988); WASH. REV. CODE ANN. § 48.17.150 (1947/1979); <u>See also</u> BULL. 87-2 (1987).
West Virginia	NO ACTION TO DATE	
Wisconsin	NO ACTION TO DATE	
Wyoming	NO ACTION TO DATE	