

**S B**

**369**

Date of 5-Day Notice: 1-18-90  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-26-90

Resources \_\_\_\_\_ Committee considered SSSB 369

Relating to the members of the boards of fisheries and game.

and recommended:

replace with CS SSB 369 (Res)  same title  
 new title

attached amendment(s)

CS SSB 369 (Res) letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) FTG  
\_\_\_\_\_  
\_\_\_\_\_

zero fiscal note(s)  
\_\_\_\_\_  
\_\_\_\_\_

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

[Signature]  
\_\_\_\_\_  
[Signature]  
\_\_\_\_\_  
[Signature]  
\_\_\_\_\_  
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[Signature] Acting Chair Do Pass  
Chair: Signature and Recommendation

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 369

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the members of the boards of  
7 fisheries and game."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 16.05.221 is amended by adding a new subsection to  
10 read:

11 (c) A member of the Board of Fisheries or the Board of Game who  
12 has an interest, financial or otherwise, in a business or organization  
13 relating to fish or game resources, shall disclose that interest in  
14 the manner provided for in AS 39.52.220.

15 \* Sec. 2. AS 16.05.280 is amended to read:

16 Sec. 16.05.280. REMOVAL OF BOARD MEMBERS. The governor may  
17 remove a board member for inefficiency, neglect of duty, [OR] miscon-  
18 duct in office, or because the member has been convicted of violating  
19 a statute or regulation on fish or game, by delivering to the member a  
20 written copy of the charges and giving the member an opportunity to be  
21 heard in person or through counsel at a public hearing before the  
22 governor or a designee upon at least 10 days' notice by registered  
23 mail. The member may confront and cross-examine adverse witnesses.  
24 Upon removal, the governor or a designee shall file in the proper  
25 state office the findings and a complete statement of all charges made  
26 against the member.

27 \* Sec. 3. AS 16.05.290 is amended to read:

28 Sec. 16.05.290. COMPENSATION OF BOARD MEMBERS. Each member of a  
29 board is entitled to travel expenses and [\$150] per diem as provided

1 by law for members of state boards and commissions, for each day going  
2 to and from and for each day in actual attendance at board meetings.  
3 In addition, each member is entitled to an honorarium of \$400 for each  
4 of the first 50 days in actual attendance at board meetings in a  
5 calendar year. For other meetings or conferences authorized by a  
6 board, a member is entitled to [SHALL] receive \$100 per diem rather  
7 than the standard per diem provided by law for other boards and  
8 commissions, and is not entitled to an honorarium [DAY].  
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# Alaska State Legislature

## Senate Resources Committee

Senator Bettye Fahrenkamp, Chairman  
Senator Jay Kerttula, Vice Chairman  
Senator Dick Eliason  
Senator Steve Frank  
Senator Rick Halford  
Senator Artliss Sturgulewski  
Senator Fred Zharoff



P.O. Box V  
Juneau, Alaska 99811  
(907) 465-4907

### SENATE RESOURCES COMMITTEE LETTER OF INTENT CS SS SB 369 (RES)

In passing CS SB 369, 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, CSSB 369 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.

1990  
July 1 etd +  
etc. of  
intent

go1110sH  
Utermohle  
3/16/90

Original sponsor(s): Rules/Governor

1 IN THE SENATE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 369 ( )

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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6 [FOR] other meetings or conferences authorized by a board [A MEMBER  
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STEVE COWPER  
GOVERNOR



555 B365

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. 1993) 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						
<b>TOTAL OPERATING</b>	<b>220.5</b>	<b>225.0</b>	<b>225.0</b>	<b>225.0</b>	<b>225.0</b>	<b>225.0</b>

CAPITAL						
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REVENUE						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND	220.5	225.0	225.0	225.0	225.0	225.0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS : (Attach a separate page if necessary)**

No FY 90 impact.

Prepared by: Beverly Reame  
Division: Administration

Phone: 465-4120  
Date: 02/06/90

Approved by Commissioner: Warren W. Wilby  
Agency: Fish and Game

Date: 02/06/90

**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						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL</b>						
<b>REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**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)

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: An Act relating to the members of  
the Boards of Fisheries and Game  
 Sponsor: \_\_\_\_\_  
 Requestor: \_\_\_\_\_

Agency Affected: Office of the Governor  
 BRU: Executive Office  
 Components: \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

CAPITAL						
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REVENUE						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: Michael A. Nizich, Director  
 Division: Division of Administrative Services  
 Approved by Commissioner: Garrey M. Peska  
 Agency: Chief of Staff

Phone: 465-3616  
 Date: 12/28/89  
 Date: 12/29/89

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

PROPOSED CS FOR SB369 (RES)

SUB-COMMITTEE PROPOSAL FOR SB369

PROPOSE AMENDING THE BILL TO ACCOMPLISH THE FOLLOWING CHANGES IN COMPENSATION FOR BOARD MEMBERS:

- \* Currently members receive \$150/ day per diem for regulatory meetings, and \$100/ day per diem for other meetings.
- \* This CS proposes that members will receive the federal rate of per diem (currently \$125/day in Anchorage where most board meetings take place), PLUS an honorarium of \$150 for ALL meetings.

Federal tax law allows a person to collect the amount equal to federal rate of per diem without reporting it as income. This amount is proposed in the CS as it will simplify paperwork and reporting requirements for board members.

- \* Net gain in total compensation for members over what they receive now is about \$125 per day during regulatory meetings, and about \$175 per day during other meetings.

PROPOSE ADOPTION OF A LETTER OF INTENT SUPPORTING AND ENCOURAGING EFFORTS BY THE BOARDS TO FIND APPROPRIATE WAYS TO SHORTEN THE NUMBER OF MEETING DAYS REQUIRED. LETTER SUGGESTS PARTICULAR AREAS THEY MIGHT LOOK AT.

*draft.*

SB 369 BOARDS OF FISHERIES AND GAME

3/15/90

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)

80 DAYS AT \$150 PER DAY HONORARIUM \$168,000

80 DAYS AT \$125 PER DAY PER DIEM \$140,000

TOTAL \$308,000

INCREASED COSTS RESULTING FROM SB 369 \$150,500

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Fish and Game  
 Title: "An act relating to members of  
the Boards of Fisheries and Game." BRU: Boards of Fish and Game  
 Sponsor: Governor Components: \_\_\_\_\_  
 Requestor: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	150.5	150.5	150.5	150.5	150.5	105.5
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	150.5	150.5	150.5	150.5	150.5	150.5
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>	<b>150.5</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

No FY 90 impact.

Prepared by: Beverly D. Reaume *Beverly Reaume* Phone: 465-4120  
 Division: Administration Date: 3-15-90

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Agency: Fish and Game

**Distribution (by preparer):**

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

LETTER OF INTENT OF THE SENATE RESOURCES COMMITTEE  
CS SB 369 RES  
AN ACT RELATING TO THE BOARDS  
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In passing CS SB 369, 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.

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Signed,

-----  
Sen. Bettye Fahrenkamp, Chairman

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Sen. Dick Eliason

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Sen. Jay Kerttula

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Sen. Fred Zharoff

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Sen. Steve Frank

-----  
Sen. Arliss Sturgulewski

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Sen. Rick Halford

Original sponsor(s): Rules/Governor

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27 \* Sec. 3. AS 16.05.290 is amended to read:

28 Sec. 16.05.290. COMPENSATION OF BOARD MEMBERS. Each member of a  
29 board is entitled to travel expenses and [\$150] per diem at a rate

1 equal to that paid to federal employees in the state by the federal  
2 government, for each day going to and from and for each day in actual  
3 attendance at board meetings or other meetings or conferences author-  
4 ized by a board. In addition, each member is entitled to an honorar-  
5 ium of \$150 for each day in actual attendance at board meetings or  
6 [FOR] other meetings or conferences authorized by a board [A MEMBER  
7 SHALL RECEIVE \$100 PER DAY].  
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## AGENTS CONTINUING EDUCATION MODEL REGULATION

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### 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."

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

*1978 Proc. II 31, 34, 266, 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	

Model Regulation Service - October 1988

AGENTS CONTINUING EDUCATION MODEL REGULATION

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).

Model Regulation Service - October 1989

AGENTS CONTINUING EDUCATION MODEL REGULATION

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	

Model Regulation Service - October 1988

AGENTS CONTINUING EDUCATION MODEL REGULATION

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	

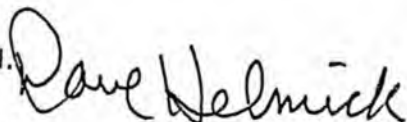
## ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the Senate Resources committee on Fish and Game Board Funding, dated February 23, 1990.

Dear Senators;

While it has some warts, the advisory committee/fish and game board system of regulatory management is the most democratic system found in America. It "works". However, due to some short sighted individuals in the budget/funding process it is in jeopardy. I urge you to look into this matter and make the necessary "fixes" so that we don't lose this system of "management by the people".

Thank You.



Dave Helmick  
P.O. Box 913  
Petersburg, Ak. 99833  
772-4790

Copies to: House Resource Committee, Robin Taylor, Lloyd Jones, Cheri Davis