

SENATE BILL NO. 189

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/12/20

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the fish and game fund; establishing the sport fishing enhancement**
2 **surcharge; relating to the repeal of the sport fishing facility surcharge; providing for an**
3 **effective date by amending the effective date of sec. 21, ch. 18, SLA 2016; and providing**
4 **for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 16.05.130(e) is amended to read:

7 (e) Money accruing to the state from the sport fishing enhancement
8 [FACILITY] surcharge imposed under AS 16.05.340(j) shall be deposited in a
9 separate account known as the [ALASKA] sport fishing enhancement
10 [ENTERPRISE] account within the fish and game fund. Money in the enhancement
11 [ENTERPRISE] account shall be allocated to sport fishing facilities for maintenance
12 and enhancement of sport fisheries intended to directly benefit license purchasers [.
13 MONEY IN THE ENTERPRISE ACCOUNT MAY BE PLEDGED TO PAY THE
14 PRINCIPAL OF AND INTEREST ON REVENUE BONDS ISSUED UNDER

1 AS 37.15.765 - 37.15.799. THE COMMISSIONER SHALL SEEK AUTHORITY
 2 FOR THE TRANSFER OF AMOUNTS DETERMINED UNDER AS 37.15.783
 3 FROM THE ENTERPRISE ACCOUNT TO THE REDEMPTION FUND
 4 ESTABLISHED IN AS 37.15.770].

5 * **Sec. 2.** AS 16.05.340(j) is amended to read:

6 (j) In addition to the fees for a sport fishing license set out in (a) and (d) of this
 7 section, each person who purchases a sport fishing license shall pay a sport fishing
 8 **enhancement** [FACILITY] surcharge as set out in this subsection for the purpose of
 9 providing funding **to** [FOR] sport fishing facilities **for maintenance and**
 10 **enhancement of sport fisheries**. A person who is eligible for a \$5 resident hunting,
 11 trapping, and sport fishing license under (a)(6) of this section or a free license under
 12 AS 16.05.341 is exempt from payment of the surcharge imposed under this subsection
 13 [. THE SURCHARGE AUTHORIZED BY THIS SUBSECTION SHALL TAKE
 14 EFFECT ON THE DATE ESTABLISHED BY REGULATION BY THE
 15 COMMISSIONER. THE AUTHORITY OF THE DEPARTMENT TO COLLECT
 16 THE SURCHARGE UNDER THIS SUBSECTION TERMINATES ON
 17 DECEMBER 31 OF THE CALENDAR YEAR IN WHICH THE PRINCIPAL
 18 AMOUNT OF THE BONDS ISSUED UNDER AS 37.15.765 - 37.15.799,
 19 TOGETHER WITH THE INTEREST ON THEM AND ANY INTEREST OWING
 20 ON UNPAID INSTALLMENTS OF INTEREST, AND ALL OTHER
 21 OBLIGATIONS WITH RESPECT TO THE BONDS, ARE FULLY MET AND
 22 DISCHARGED]. The amount of the surcharge attached to each sport fishing license
 23 must be clearly disclosed on the sport fishing license. The amount of the sport fishing
 24 **enhancement** [FACILITY] surcharge to be paid for each sport fishing license is as
 25 follows:

26 (1) resident sport fishing license	<u>\$ 4</u> [9]
27 (2) resident hunting and sport fishing license	<u>4</u> [9]
28 (3) resident hunting, trapping, and sport fishing license	<u>4</u> [9]
29 (4) nonresident 14-day sport fishing license	<u>25</u> [30]
30 (5) nonresident seven-day sport fishing license	<u>20</u> [25]
31 (6) nonresident three-day sport fishing license	<u>10</u> [15]

(7) nonresident one-day sport fishing license **5** [10]
(8) nonresident annual sport fishing license **40** [45]
(9) special nonresident military small game and sport
fishing license **4** [9]
(10) special nonresident military sport fishing license **4** [9].

* **Sec. 3.** Section 21, ch. 18, SLA 2016, is repealed.

* **Sec. 4.** Section 34, ch. 18, SLA 2016, is amended to read:

Sec. 34. AS 16.05.100(2), [16.05.130(e),] 16.05.130(f) [, 16.05.340(j)]; 15.765, 37.15.770, 37.15.773, 37.15.777, 37.15.780, 37.15.783, 37.15.787, 790, 37.15.793, and 37.15.799 are repealed.

* **Sec. 5.** The uncodified law of the State of Alaska enacted in sec. 35(a), ch. 18, SLA 2016, is amended to read:

(a) Section [SECTIONS 21 AND] 34 of this Act takes [TAKE] effect only if the commissioner of fish and game notifies the revisor of statutes in writing as required under (b) of this section.

* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION; DISPOSITION OF FUNDS. Funds remaining in the sport fishing enterprise account after bond obligations are discharged shall be transferred to the sport fishing enhancement account on the effective date of secs. 1 and 2 of this Act.

* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to read:

CONDITIONAL EFFECT. Sections 1 and 2 of this Act take effect only if the conditions described in sec. 35, ch. 18, SLA 2016, are met.

* **Sec. 8.** Section 36, ch. 18, SLA 2016, is amended to read:

Sec. 36. If, under sec. 35 of this Act, sec. [SECS. 21 AND] 34 of this Act takes [TAKE] effect, it takes [THEY TAKE] effect January 1 of the calendar year following the year of notice under sec. 35 of this Act.

* **Sec. 9.** If, under sec. 7 of this Act, secs. 1 and 2 of this Act take effect, they take effect January 1 of the calendar year following the year the conditions in sec. 7 of this Act are met.

* **Sec. 10.** Except as provided in sec. 9 of this Act, this Act takes effect immediately under

1 AS 01.10.070(c).