

Fiscal Note

State of Alaska
2024 Legislative Session

Bill Version: SB 171
 Fiscal Note Number: _____
 () Publish Date: _____

Identifier: SB171-DFG-DWC-02-10-24
 Title: RESIDENCY REQ: HUNTING, TRAPPING,
 FISHING
 Sponsor: BJORKMAN
 Requester: (S)Resources

Department: Department of Fish and Game
 Appropriation: Statewide Support Services
 Allocation: Administrative Services
 OMB Component Number: 479

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2025 Appropriation Requested	Included in Governor's FY2025 Request	Out-Year Cost Estimates					
			FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2024) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2025) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
 If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/26

Why this fiscal note differs from previous version/comments:

Not applicable; initial version.

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Division:	Office of the Commissioner	Date:	02/10/2024 08:00 AM
Approved By:	Bonnie Jensen, Administrative Services Director	Date:	02/10/24
Agency:	Department of Fish and Game		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2024 LEGISLATIVE SESSION

BILL NO. SB171

Analysis

This legislation amends Fish and Game residency determination statutes under AS 16.05.415(a) for licensing of sport fishing and hunting by requiring a person be physically present in the state at all times during the current requirement under AS 16.05.415(a)(2) to maintain a domicile in the state for 12 consecutive months immediately preceding the application of a license. This applies to all provisions under AS 16.05.330 – AS 16.05.430, which includes licenses, tags, subsistence permits, special licenses and permits such as Permanent Identification Cards (PIDs), auctions/raffles, and other provisions applicable to a qualified resident.

If enacted, a person may only be absent during that 12-month period as allowed under Permanent Fund Dividend (PFD) allowable absence statutes AS 43.23.008 to qualify as a resident for licensing purposes. If a person is absent from the state more than 180 days and does not qualify for an additional allowable absence, they would no longer be considered a resident for purposes under AS 16.05.330 - 16.05.430.

The Department of Fish and Game (ADF&G) has regulations in place setting out qualifications for resident licenses and proof of residency under 5 AAC 93.510. Regulations specify that an applicant has the burden of proving they are entitled to a resident license. Current regulations enable the department or a license vendor to accept as adequate proof of an applicant's residency the applicant's Alaska driver's license, voter registration card, school records, proof of home ownership or rental receipts, tax records, employment records, or court or other governmental agency records showing to the satisfaction of the department or license vendor that the applicant meets the residency requirements.

Resident license applicants certify, under penalty of unsworn falsification provided in AS 11.56.210, AS 16.05.420, and AS 16.05.665, they meet the legal requirements for residency as defined in statute. If a law enforcement officer or department employee questions a license, the burden falls on the license holder to provide sufficient proof. With the certification, licenses require minimal staff time to process. This legislation does not change the department's ability to allow for a certification at the time of application in lieu of providing proof of eligibility.

If resident eligibility under this new provision is called into question, current regulations would allow the department or law enforcement to require the person provide proof of being present in the state for 12 consecutive months, which would also include proof of an allowable absence under PFD statutes if needed. A full analysis of applicable PFD statutes and regulations is needed. ADF&G's online application will need to be updated to be consistent with the statutory changes, and updates to regulations may also be needed. Any potential costs to update the online application and regulations can be absorbed by the department.

The changes resulting from this bill would have an impact on a small percentage of ADF&G customers but would not have an impact on the department procedurally, and the department does not anticipate much, if any, change in licensing revenues. Overall, the changes are expected to have a minimal fiscal and programmatic impact on the department. Therefore, the department submits a zero fiscal note.