



LAWS OF ALASKA

1990

Source

CSSB 96(Res)(title am)

Chapter No.

21

AN ACT

Relating to penalties against and duties of agents who sell or collect fees for certain licenses, tags, and permits; requiring reports and proceeds to be received before compensation is paid to agents who sell certain licenses, tags, and permits; repealing the duties of and compensation for agents who assist in completing forms for interim-use and entry permits; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 15

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: April 20, 1990
Actual Effective Date: April 21, 1990

AN ACT

Relating to penalties against and duties of agents who sell or collect fees for certain licenses, tags, and permits; requiring reports and proceeds to be received before compensation is paid to agents who sell certain licenses, tags, and permits; repealing the duties of and compensation for agents who assist in completing forms for interim-use and entry permits; and providing for an effective date.

* Section 1. AS 16.05.390(c) is amended to read:

(c) On March 31, June 30, September 30, and December 31 of each year the commissioner shall calculate the compensation earned by an agent under (a)(2) of this section, minus the penalties assessed under (g) of this section. If the compensation due exceeds \$50, the commissioner shall pay the compensation not later than 30 days after the date for which the compensation was calculated. If the compensation due is \$50 or less, the commissioner shall pay the compensation not later than January 30 of the year following the year in which the compensation was earned. The commissioner shall pay compensation [IN AN AMOUNT EXCEEDING \$50] only for sales of licenses or tags for which the commissioner has received the report and proceeds required to be transmitted under (b) of this section.

* Sec. 2. AS 16.05.390 is amended by adding new subsections to read:

(f) Proceeds and reports under (b) of this section shall be

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transmitted to the commissioner by the last day of the month following the month in which the licenses and tags are sold, unless an alternative reporting schedule has been established by contract.

(g) The commissioner may assess a penalty against an agent who does not transmit proceeds within the time allowed under (f) of this section. The penalty is equal to one and one-half percent of the amount of proceeds due. The penalty may be assessed for each month or portion of a month that the proceeds are delinquent. A penalty under this subsection shall be withheld from the agent's compensation under (a)(2) of this section.

* Sec. 3. AS 16.05.460 is amended to read:

Sec. 16.05.460. COMMISSIONER MAY APPOINT AGENTS. The commissioner may appoint qualified persons as agents to receive applications, issue licenses, and collect license fees under AS 16.05.440 - 16.05.480 [, AND TO ASSIST IN THE COMPLETION OF ANNUAL APPLICATION OR RENEWAL FORMS FOR INTERIM-USE PERMITS AND ENTRY PERMITS ISSUED UNDER AS 16.43].

* Sec. 4. AS 16.05.470 is amended by adding new subsections to read:

(c) Forms and fees under (a) of this section shall be transmitted to the commissioner by the last day of the month following the month in which the fees are collected. The commissioner may grant an extension of not more than 30 days if the agent establishes that

(1) failure to grant an extension would impose an excessive financial hardship on the agent;

(2) the fees collected by the agent for the period, including the amount that the agent is authorized to retain, totals less than \$1,000; and

(3) the cumulative amount of fees due from the agent, including the fees due for the current period, does not exceed \$1,000.

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1 (d) The commissioner may assess a penalty against an agent who
2 does not transmit fees within the time allowed under (c) of this
3 section. The penalty is equal to one and one-half percent of the
4 amount of fees due. The penalty may be assessed for each month or
5 portion of a month that the fees are delinquent.

6 * Sec. 5. AS 16.05.470(b) is repealed.

7 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).
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