

**HOUSE BILL NO. 164**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 3/29/99

Referred: Resources, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to electronic application for and issuance of licenses, permits,  
2 and tags issued by the Department of Fish and Game; to violations regarding  
3 a license, permit, or tag applied for or issued electronically; and providing for  
4 an effective date."

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

6 \* **Section 1.** AS 16.05.340 is amended by adding a new subsection to read:

7 (h) Notwithstanding (a) - (g) of this section, the commissioner may add a  
8 surcharge to the fees set out in this section to cover any additional costs to the  
9 department of accepting and processing applications for, and issuing, licenses, permits,  
10 or tags described in this section in electronic format.

11 \* **Sec. 2.** AS 16.05.360 is amended by adding new subsections to read:

12 (c) Notwithstanding (a) of this section, the commissioner may establish a  
13 system for accepting and processing applications for, and issuing, licenses, permits, or  
14 tags in electronic format if

1 (1) before issuing licenses, permits, or tags in electronic format, the  
2 commissioner

3 (A) obtains the concurrence of the commissioner of public  
4 safety; and

5 (B) determines that issuance in electronic format is in the state's  
6 best interest;

7 (2) the system requires

8 (A) the submission of the information required by the  
9 commissioner under (a) of this section;

10 (B) that the applicant have a current and valid identification  
11 card at the time of application and during the use of the license, permit, or tag  
12 and provide in the application information regarding the identification card; for  
13 purposes of this subparagraph, an identification card must bear the photograph  
14 of the applicant to be valid;

15 (C) the agreement of the applicant to

16 (i) allow the commissioner or the commissioner's agent  
17 to verify the information supplied on the application; and

18 (ii) carry an identification card as described in (B) of  
19 this paragraph when the license, permit, or tag is being used and to  
20 produce the card and any paper license, permit, or tag issued if  
21 requested by a peace officer or by another person authorized by the  
22 commissioner;

23 (D) that if a paper license, permit, or tag is issued, the license,  
24 permit, or tag be signed by the holder in order for the license, permit, or tag  
25 to be valid;

26 (E) a notice on the application, and on the paper license, permit,  
27 or tag if issued, that the provisions and penalties of AS 11.56.210 and  
28 AS 16.05.420 apply to a false statement or material omission in the application  
29 or on the paper license, permit, or tag if issued.

30 (d) The commissioner of fish and game and the Department of Public Safety  
31 may adopt regulations to interpret or implement their respective duties in this section.

1 (e) In this section,

2 (1) "electronic" includes transmissions through the Internet, electronic  
3 mail, a toll-free telephone number, or other means using telephone lines or  
4 communications between electronic computing devices;

5 (2) "identification card" means a card issued by a state or federal  
6 agency or other organization designated by the Department of Public Safety for the  
7 purposes of identifying the holder of the card.

8 \* **Sec. 3.** AS 16.05.380 is amended by adding a new subsection to read:

9 (b) In accordance with AS 36.30, the commissioner may enter into a contract  
10 to provide for the acceptance and processing of applications for, and the issuance of,  
11 licenses, permits, and tags in electronic format under AS 16.05.360.

12 \* **Sec. 4.** AS 16.05.390 is amended by adding a new subsection to read:

13 (h) Notwithstanding (a) - (g) of this section, an agent selected by contract with  
14 the commissioner under AS 16.05.380(b) to accept applications and to issue licenses,  
15 permits, and tags in electronic format, and to collect related fees on behalf of the  
16 department is entitled to only the fees and compensation set by the contract. The  
17 terms of payment, transmittals, reports, and other matters regarding the agent shall be  
18 established by the contract.

19 \* **Sec. 5.** AS 16.05.420 is amended by adding a new subsection to read:

20 (d) For purposes of this section, "application" includes statements or other  
21 recorded information transmitted by an applicant in order to apply electronically for  
22 a license, permit, or tag under AS 16.05.360.

23 \* **Sec. 6.** AS 16.05.420 is amended by adding a new subsection to read:

24 (e) If requested by a peace officer or other person authorized by the  
25 commissioner, a person who states that a license, permit, or tag was issued in  
26 electronic format under AS 16.05.360 shall

27 (1) immediately produce a current and valid identification card as  
28 required by AS 16.05.360; and

29 (2) provide complete and correct information to the officer or other  
30 person about the status and validity of the license, permit, or tag that was issued in  
31 electronic format.

1     \* **Sec. 7.** Section 6 of this Act takes effect on the date of the determination by the  
2 commissioner of fish and game under AS 16.05.360(c)(1)(B), enacted by sec. 2 of this Act,  
3 that issuance of certain licenses, permits, and tags in electronic format is in the state's best  
4 interest. The commissioner of fish and game shall notify the revisor of statutes and the  
5 lieutenant governor of the date of the determination.