

**HOUSE BILL NO. 206**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE HARRIS**

**Introduced: 4/21/99**

**Referred: Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the migratory game bird conservation tag, to a nonresident  
2 combined sport fishing and hunting license, to the nonresident military small game  
3 and sport fishing license, to applications for certain licenses, tags, and permits  
4 issued by the Department of Fish and Game, and to duplicate crewmember  
5 licenses."

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

7 \* **Section 1.** AS 16.05.110(a) is amended to read:

8 (a) The fish and game fund shall be made up of the following money and  
9 other money the legislature appropriates, which shall be deposited and retained in the  
10 fund until expended:

11 (1) money received from the sale of state sport fishing, hunting, and  
12 trapping licenses, tags, and special permits, migratory game bird [WATERFOWL]  
13 conservation tags purchased by hunters, and anadromous salmon tags purchased by

1 fishermen;

2 (2) proceeds received from the sale of furs, skins, and specimens taken  
3 by predator hunters and other employees;

4 (3) money received in settlement of a claim or loss caused by damage  
5 to the fish and game resources of the state;

6 (4) money received from a federal, state, or other governmental unit,  
7 or from a private donor for fish and game purposes;

8 (5) interest earned upon money in the fund;

9 (6) money from any other source.

10 \* **Sec. 2.** AS 16.05.130(b) is amended to read:

11 (b) Money accruing to the state from migratory game bird [WATERFOWL]  
12 conservation tag fees from hunters may not be diverted to a purpose other than (1) the  
13 conservation and enhancement of migratory game birds [WATERFOWL]; (2) the  
14 acquisition, by lease or otherwise, of wetlands that are important for migratory game  
15 birds [WATERFOWL] and public use of migratory game birds [WATERFOWL] in  
16 the state; (3) migratory game bird [WATERFOWL] related projects approved by the  
17 commissioner; (4) the administration of the migratory game bird [WATERFOWL]  
18 conservation program; and (5) emergencies in the state as determined by the governor.  
19 The department shall maintain a state migratory game bird conservation  
20 [WATERFOWL] tag fee account within the fish and game fund to permit separate  
21 accounting records for the receipt and expenditure of money derived from the sale of  
22 migratory game bird conservation [WATERFOWL] tags. The department shall  
23 prepare a report before April 15 of each even-numbered year for the public and the  
24 legislature on the use of money derived from migratory game bird [WATERFOWL]  
25 conservation tags and limited edition prints. The department shall notify the legislature  
26 that the report is available.

27 \* **Sec. 3.** AS 16.05.340(a)(17) is amended to read:

28 (17) Migratory game bird [WATERFOWL] conservation tag . . . \$5

29 (A) A person may not engage in migratory game bird  
30 [WATERFOWL] hunting without having the current year's migratory game  
31 bird conservation [WATERFOWL] tag in the person's actual possession,

1 unless that person

2 (i) [QUALIFIES FOR A \$5 LICENSE FEE UNDER (6)  
3 OF THIS SUBSECTION;

4 (ii) is a resident under the age of 16;

5 (ii) [(iii)] is 60 years of age or older and is a resident;

6 or

7 (iii) has proof of registration in the federal migratory  
8 bird harvest information program described in 50 C.F.R. 20.20 in  
9 the person's actual possession

10 [(iv) IS A DISABLED VETERAN ELIGIBLE FOR A  
11 FREE LICENSE UNDER AS 16.05.341].

12 (B) The Board of Game shall by regulation exempt the  
13 requirement of a migratory game bird [WATERFOWL] conservation tag for  
14 migratory game bird [WATERFOWL] hunting in areas of the state not likely  
15 to benefit from programs described in AS 16.05.130(b)(2) - (4).

16 \* **Sec. 4.** AS 16.05.340(a) is amended by adding a new paragraph to read:

17 (25) Nonresident seven-day sport fishing and hunting license . . \$115  
18 A nonresident may not take a big game animal without previously purchasing a  
19 numbered, nontransferable, appropriate tag, issued under (15) of this subsection. The  
20 tag must be affixed to the animal immediately upon capture and must remain affixed  
21 until the animal is prepared for storage, consumed, or exported. A tag issued but not  
22 used for an animal may be used to satisfy the tagging requirement for an animal of any  
23 other species for which the tag fee is of equal or less value. In this paragraph,  
24 "nonresident" does not include a nonresident alien.

25 \* **Sec. 5.** AS 16.05.340(d) is amended to read:

26 (d) Members of the military service on active duty who are permanently  
27 stationed in the state, and their dependents, who do not qualify as residents under  
28 AS 16.05.415 [AS 16.05.940,] may obtain special nonresident military small game and  
29 sport fishing licenses at the lower of the rates for the respective resident or  
30 nonresident hunting or [AND] sport fishing licenses, but may not take a big game  
31 animal without previously purchasing a regular nonresident hunting license and a

1 numbered, nontransferable appropriate tag, issued at one-half of the nonresident rate,  
2 under (a)(15) of this section.

3 \* **Sec. 6.** AS 16.05.350(a) is amended to read:

4 (a) Licenses, permits, and tags required under AS 16.05.330 - 16.05.430,  
5 except biennial licenses, triennial licenses, the nonresident sport fishing licenses, the  
6 resident trapping license, the nonresident anadromous king salmon tags, the **migratory**  
7 **game bird** [WATERFOWL] conservation tag, and permits having a different specified  
8 expiration date, expire at the close of December 31 following issuance.

9 \* **Sec. 7.** AS 16.05.350(e) is amended to read:

10 (e) The **migratory game bird** [WATERFOWL] conservation tag expires at  
11 the close of January 31 of the year following the year of issue of the tag.

12 \* **Sec. 8.** AS 16.05.360(a) is amended to read:

13 (a) The commissioner or an authorized deputy shall issue each license and tag  
14 to a qualified person under written application containing such reasonable information  
15 as required by the commissioner. The commissioner shall designate the license and  
16 tag form or type. The form or type must be sufficient to identify and locate the  
17 applicant, establish the applicant's status as to residency and citizenship, and supply  
18 the person's social security number if required by this chapter. [EACH  
19 APPLICATION SHALL BE SUBSCRIBED AND SWORN TO BY THE APPLICANT  
20 BEFORE AN OFFICER AUTHORIZED TO ADMINISTER OATHS IN THE  
21 STATE.]

22 \* **Sec. 9.** AS 16.05.380 is amended to read:

23 **Sec. 16.05.380. Commissioner may appoint agents.** The commissioner may  
24 appoint state employees or other persons to take applications, issue licenses, permits,  
25 and tags, and collect fees. The commissioner is not liable for defalcation or failure to  
26 account for the fees collected by any person so appointed, but the commissioner shall  
27 require a bond in an adequate sum, conditioned upon faithfully accounting for all  
28 money collected. However, the commissioner may waive the bond requirements of an  
29 instrumentality of the United States or its agents and employees when the  
30 instrumentality or its agents or employees sell licenses, permits, or tags primarily to  
31 persons in the armed forces. [EACH PERSON, UPON APPOINTMENT BY THE

1 COMMISSIONER, MAY ADMINISTER OATHS ON APPLICATIONS FOR  
2 LICENSES, PERMITS, AND TAGS.]

3 \* **Sec. 10.** AS 16.05.450 is amended by adding a new subsection to read:

4 (e) The commissioner or an authorized agent may issue a duplicate  
5 crewmember license as a replacement for a crewmember license issued under  
6 AS 16.05.480 if the commissioner or authorized agent is satisfied that the original has  
7 been lost or destroyed. A fee of \$5 shall be charged for each duplicate crewmember  
8 license.

9 \* **Sec. 11.** AS 16.05.826(a) is amended to read:

10 (a) The **migratory game bird** [WATERFOWL] conservation tag authorized  
11 in AS 16.05.340(a)(17) shall be produced annually in stamp form by the department  
12 in an amount the commissioner considers appropriate. The department shall make  
13 stamps available for the creation of **migratory game bird** [WATERFOWL]  
14 conservation limited edition prints and shall provide for the sale of stamps and prints  
15 to the public.

16 \* **Sec. 12.** AS 16.05.826(b) is amended to read:

17 (b) The department shall provide by appropriate means for the selection of the  
18 design of the annual **migratory game bird** [WATERFOWL] conservation stamp and  
19 for the production and sale of the stamps.