

SENATE BILL NO. 35

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/12/01

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

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

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

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

6 (h) Notwithstanding (a) - (g) of this section, the commissioner may increase
7 the fees set out in this section by not more than \$3 to cover any additional costs to the
8 department of contracting for the services to provide the application for and issuing of
9 licenses, permits, or tags described in this section in electronic format.

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

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

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

1 commissioner

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

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

6 (2) the system requires

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

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

14 (C) the agreement of the applicant to

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

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

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

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

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

31 (e) In this section,

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

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

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

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

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

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

18 * **Sec. 5.** AS 16.05.420 is amended by adding new subsections to read:

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

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

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

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

30 * **Sec. 6.** AS 16.05.420(e), enacted by sec. 5 of this Act, takes effect on the date of the
31 determination by the commissioner of fish and game under AS 16.05.360(c)(1)(B), enacted by

1 sec. 2 of this Act, that issuance of certain licenses, permits, and tags in electronic format is in
2 the state's best interest. The commissioner of fish and game shall notify the revisor of statutes
3 and the lieutenant governor of the date of the determination.