CS FOR SENATE BILL NO. 189(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 3/19/20
Referred: Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

"An Act relating to the fish and game fund; establishing the sport fishing enhancement surcharge; relating to personal use fishing permits and fees; relating to the repeal of the sport fishing facility surcharge; providing for an effective date by amending the effective date of sec. 21, ch. 18, SLA 2016; and providing for an effective date."

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

*** Section 1.** AS 16.05.130(e) is amended to read:

(e) Money accruing to the state from the sport fishing **enhancement** [FACILITY] surcharge imposed under AS 16.05.340(j) shall be deposited in a separate account known as the [ALASKA] sport fishing **enhancement** [ENTERPRISE] account within the fish and game fund. Money in the **enhancement** [ENTERPRISE] account shall be allocated **for** [TO] sport fishing **stock enhancement and ongoing maintenance and operation of the department's sport fish hatchery** facilities intended to directly benefit license purchasers. [MONEY IN THE ENTERPRISE ACCOUNT MAY BE PLEDGED TO PAY THE PRINCIPAL OF

AND INTEREST ON REVENUE BONDS ISSUED UNDER AS 37.15.765 - 37.15.799. THE COMMISSIONER SHALL SEEK AUTHORITY FOR THE TRANSFER OF AMOUNTS DETERMINED UNDER AS 37.15.783 FROM THE ENTERPRISE ACCOUNT TO THE REDEMPTION FUND ESTABLISHED IN AS 37.15.770.]

*** Sec. 2.** AS 16.05.340(a) is amended by adding a new paragraph to read:

(28) Upper Cook Inlet personal use salmon fishing permit 5

A recipient of a $5 resident hunting, trapping, and sport fishing license under (6)(A) of this subsection may obtain this permit for $5.

*** Sec. 3.** AS 16.05.340(j) is amended to read:

(j) In addition to the fees for a sport fishing license set out in (a) and (d) of this section, each person who purchases a sport fishing license shall pay a sport fishing **enhancement** [FACILITY] surcharge as set out in this subsection for the purpose of providing funding for sport fishing **stock enhancement and ongoing maintenance and operation of the department's sport fish hatchery** facilities. A person who is eligible for a $5 resident hunting, trapping, and sport fishing license under (a)(6) of this section or a free license under AS 16.05.341 is exempt from payment of the surcharge imposed under this subsection. [THE SURCHARGE AUTHORIZED BY THIS SUBSECTION SHALL TAKE EFFECT ON THE DATE ESTABLISHED BY REGULATION BY THE COMMISSIONER. THE AUTHORITY OF THE DEPARTMENT TO COLLECT THE SURCHARGE UNDER THIS SUBSECTION TERMINATES ON DECEMBER 31 OF THE CALENDAR YEAR IN WHICH THE PRINCIPAL AMOUNT OF THE BONDS ISSUED UNDER AS 37.15.765 - 37.15.799, TOGETHER WITH THE INTEREST ON THEM AND ANY INTEREST OWING ON UNPAID INSTALLMENTS OF INTEREST, AND ALL OTHER OBLIGATIONS WITH RESPECT TO THE BONDS, ARE FULLY MET AND DISCHARGED.] The amount of the surcharge attached to each sport fishing license must be clearly disclosed on the sport fishing license. The amount of the sport fishing **enhancement** [FACILITY] surcharge to be paid for each sport fishing license is as follows**:**

(1) resident sport fishing license ..... $ **4** [9]

(2) resident hunting and sport fishing license ..... **4** [9]

(3) resident hunting, trapping, and sport fishing license ..... **4** [9]

(4) nonresident 14-day sport fishing license ..... **25** [30]

(5) nonresident seven-day sport fishing license ..... **20** [25]

(6) nonresident three-day sport fishing license ..... **10** [15]

(7) nonresident one-day sport fishing license ..... **5** [10]

(8) nonresident annual sport fishing license ..... **40** [45]

(9) special nonresident military small game and sport fishing license ..... **4** [9]

(10) special nonresident military sport fishing license ..... **4** [9].

*** Sec. 4.** AS 16.05.340 is amended by adding a new subsection to read:

(*l*) Receipts from Upper Cook Inlet personal use salmon fishing permit fees shall be accounted for separately under AS 37.05.146(c). The legislature may appropriate money in the account to the department to support Upper Cook Inlet personal use salmon fisheries, and to a municipality to support Upper Cook Inlet personal use salmon fisheries based on the total number of days fished in all Upper Cook Inlet personal use salmon fisheries divided by the number of personal use days fished within the municipality.

*** Sec. 5.** AS 37.05.146(c) is amended by adding a new paragraph to read:

(80) receipts of the Department of Fish and Game from Upper Cook Inlet personal use salmon fishing permit fees under AS 16.05.340.

*** Sec. 6.** Section 34, ch. 18, SLA 2016, is amended to read:

Sec. 34. AS 16.05.100(2), [16.05.130(e),] 16.05.130(f) [, 16.05.340(j)]; AS 37.15.765, 37.15.770, 37.15.773, 37.15.777, 37.15.780, 37.15.783, 37.15.787, 37.15.790, 37.15.793, and 37.15.799 are repealed.

*** Sec. 7.** The uncodified law of the State of Alaska enacted in sec. 35(a), ch. 18, SLA 2016, is amended to read:

(a) **Section** [SECTIONS 21 AND] 34 of this Act **takes** [TAKE] effect only if the commissioner of fish and game notifies the revisor of statutes in writing as required under (b) of this section.

*** Sec. 8.** Section 21, ch. 18, SLA 2016, is repealed.

*** Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: DISPOSITION OF FUNDS. Funds remaining in the sport fishing enterprise account after bond obligations are discharged shall be transferred to the sport fishing enhancement account on the effective date of secs. 1 and 3 of this Act.

*** Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to read:

CONDITIONAL EFFECT. Sections 1 and 3 of this Act take effect only if the conditions described in sec. 35, ch. 18, SLA 2016, are met.

*** Sec. 11.** Section 36, ch. 18, SLA 2016, is amended to read:

Sec. 36. If, under sec. 35 of this Act, **sec.** [SECS. 21 AND] 34 of this Act **takes** [TAKE] effect, **it takes** [THEY TAKE] effect January 1 of the calendar year following the year of notice under sec. 35 of this Act.

*** Sec. 12.** If, under sec. 10 of this Act, secs. 1 and 3 of this Act take effect, they take effect January 1 of the calendar year following the year the conditions in sec. 10 of this Act are met.

*** Sec. 13.** Except as provided in sec. 12 of this Act, this Act takes effect immediately under AS 01.10.070(c).