

1 IN THE HOUSE

BY COMMITTEE ON WAYS AND MEANS

2

HOUSE BILL NO. 221

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

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For an Act entitled: "An Act providing for the licensing of sport

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fishing and hunting in the Territory of

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Alaska; requiring license fees; defining

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violations and prescribing penalties; pro-

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viding for exemptions; repealing Chapter 93,

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Session Laws of Alaska 1961; and to provide

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an effective date."

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

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Section 1. DEFINITIONS. For the purpose of this Act:

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(1) "Sport Fishing" shall mean the taking of, or attempt-

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ing to take for personal use, and not for sale or barter, any

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fresh water, marine or anadromous fish by hook and line held in

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the hand, or by hook and line with the line attached to a pole or

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rod, which is held in the hand, or closely attended.

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(2) "Hunting" shall mean any effort made to take,

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pursue, capture, or kill any wild animal or bird for personal use

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and not for sale or barter with rifle, shotgun or bow and arrow.

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(3) "Resident" means any citizen or national of the

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United States who has maintained a bona fide residence in the

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Territory for a period of twelve months immediately preceding his

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application for a sport fishing or hunting license, or a foreign-

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born person not a citizen or national of the United States who

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has declared his intention to become a citizen of the United States,

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and who has resided in the Territory for a like period; Provided,

1 however, that any member of the military services stationed in  
2 the Territory for a period of twelve consecutive months shall be  
3 considered a resident for the purpose of this Act,

4 (4) "Nonresident" means any citizen of the United  
5 States who does not qualify as a resident as herein defined.

6 (5) "Alien" means any person, not a citizen of the  
7 United States who does not have a petition for naturalization  
8 pending before the District Court.

9 (6) "Visitor" shall mean any nonresident of the Terri-  
10 tory who is temporarily sojourning in the Territory as a visitor  
11 or tourist.

12 Sec. 2. LICENSE REQUIRED. It shall be unlawful, except as  
13 otherwise permitted by this Act, for any person to engage in  
14 sport fishing or hunting without first having procured an appro-  
15 priate license as hereinafter provided.

16 Sec. 3. LICENSES AND FEES. The licenses and fees shall be  
17 as follows:

18	(1) Resident sport fishing license	\$2.00
19	(2) Resident hunting license	2.00
20	(3) Resident sport fishing and hunting	
21	license	4.00
22	(4) Nonresident and alien sport fishing	
23	license	4.00
24	(5) Nonresident and alien hunting license	4.00
25	(6) Nonresident and alien sport fishing	
26	and hunting license	8.00
27	(7) Visitor's special sport fishing	
28	license -- valid only for seven days	
29	after date of issuance	2.00

1           Sec. 4. EXPIRATION OF LICENSE. All licenses, except  
2 visitor's special sport fishing license, required under the pro-  
3 visions of this Act shall expire at the close of the 30th day  
4 of June following issuance.

5           Sec. 5. ISSUANCE OF LICENSES. Licenses herein required  
6 shall be issued to any qualified person by the Tax Commission  
7 pursuant to written applications containing such information as  
8 may be required by the Tax Commissioner, and such licenses may  
9 also be issued by his deputies and agents. Such applications  
10 shall be simple in form and be executed by applicants or their  
11 respective agents under penalties of perjury. Persons author-  
12 ized to sell these licenses are hereby authorized to administer  
13 oaths in the Territory.

14           All licenses shall be in the form of a stamp, which shall be  
15 non-transferable, shall be signed by the licensee and be carried  
16 by the licensee while fishing or hunting in the Territory.

17           Sec. 6. THE COMMISSIONER MAY APPOINT AGENTS. The Tax  
18 Commissioner is hereby authorized to appoint United States  
19 Commissioners, sporting goods dealers, and other persons as his  
20 agents to take applications, issue the licenses and collect  
21 license fees hereunder. All persons so deputized by the Tax  
22 Commissioner shall transmit quarterly to the Tax Commissioner all  
23 fees collected by them and make and furnish all reports required  
24 by the Tax Commissioner. The Tax Commissioner shall not be  
25 liable for defalcation or failure to account for the fees so  
26 collected by any such agent, but shall require a bond in such  
27 sum as he may deem adequate, conditioned upon faithfully account-  
28 ing for all monies collected hereunder.

29           Sec. 7. LICENSE FEES COVERED INTO FISH AND GAME FUND. All

1 license fees collected under authority of this Act shall be  
2 covered by the Tax Commissioner into the revolving "Fish and  
3 Game Fund" as created under Chapter \_\_\_\_\_, Session Laws of Alaska  
4 1957.

5       Sec. 8. FEE FOR ISSUANCE OF LICENSES. Any person, except  
6 salaried employees of the Territory of Alaska, appointed by the  
7 Tax Commissioner to issue licenses, as authorized by this Act,  
8 shall charge the sum of twenty-five cents (25¢) for each license  
9 in addition to collecting the fee prescribed by law, for issuing  
10 such license, which sum shall be retained by him for his services.

11       Sec. 9. FALSIFICATION OF LICENSE APPLICATION. Any false  
12 statement in an application for a license as to residence or  
13 other material fact shall render null and void the license issued  
14 upon it; and any person who shall make any false statement in  
15 such an application shall be guilty of a violation of this Act.

16       Sec. 10. LICENSES FOR SEIZURE. Upon conviction of a person  
17 of a violation of any provision of this Act or of any Federal  
18 law or regulation for the protection of the wild animals, birds  
19 and sport fish of Alaska, the judge or commissioner may, in  
20 addition to the penalty imposed by law, forfeit the license of  
21 such person. Upon subsequent conviction of any such person of  
22 any violation of any provisions of this Act or of any Federal  
23 law or regulation for the protection of the wild animals, birds  
24 and sport fish of Alaska, the forfeiture of such license shall  
25 be mandatory. The Tax Commissioner may prohibit the issuance of  
26 a license to any person convicted two or more times of any such  
27 violation.

28       Sec. 11. EXEMPTIONS. All resident Indians, Eskimos and  
29 Aleuts shall be exempt from all provisions of this Act as well.

1 as any resident or nonresident person under the age of sixteen  
2 years for the purpose of sport fishing; nor shall a license be  
3 required of any resident under the age of sixteen years for  
4 hunting.

5       Sec. 12. ENFORCEMENT AND INSPECTION. The Director of the  
6 Alaska Department of Fish and Game, together with any law en-  
7 forcement agency in Alaska, shall be empowered to enforce all  
8 provisions of this Act and for this purpose the Director may  
9 deputize employees of the Alaska Department of Fish and Game  
10 and such other persons as he may designate.

11       Licenses issued under this Act shall be subject to inspection,  
12 and shall, upon request by any officer authorized to enforce this  
13 Act, be exhibited to him.

14       Sec. 13. VIOLATIONS: MISDEMEANOR: PENALTY. Any person  
15 violating any provision of this Act shall be deemed guilty of a  
16 misdemeanor and, upon conviction thereof, shall be subject to a  
17 fine not exceeding \$200.00 or imprisonment not to exceed six  
18 months, or both such fine and imprisonment.

19       Sec. 14. REPEAL. Chapter 93, Session-Laws of 1961, and all  
20 other Acts or parts of Acts in conflict with the provisions of  
21 this Act are hereby repealed.

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