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Referred: State Affairs

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IN THE SENATE

RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

SENATE BILL NO. 157

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRD LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the transfer of functions from the Department of Fish and Game to the Department of Revenue under Executive Order No. 17."

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

* Section 1. AS 16.05.335 is amended to read:

Sec. 16.05.335. COMPLIMENTARY LICENSES. The commissioner of revenue [FISH AND GAME] shall annually, at the request of the governor, provide him with not to exceed 20 complimentary fishing and hunting licenses which the governor may distribute to distinguished visitors to Alaska at his discretion for their use in any one 10-day period during their visits to the state. The complimentary license for sport fishing or hunting, or both shall be inscribed by the governor with the inclusive dates for its authorized use.

* Sec. 2. AS 16.05.340 is amended to read:

Sec. 16.05.340. LICENSE AND TAG FEES. Fees for licenses and tags are as follows:

(1) Resident sport fishing licenses \$5

However, the fee is 25 cents for a dependent member of a family upon proof presented by the applicant that the family (A) is obtaining or has obtained assistance during the preceding six months under a state or federal welfare program to aid the indigent, or (B) has an annual income of less than

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\$800 for the year preceding application.

(2) Resident hunting license \$ 7

(3) (a) Resident hunting and trapping license . 10

(b) Resident trapping license 3

(4) Resident hunting and sport fishing
license 12

(5) Resident hunting, trapping and sport fish-
ing license 15

However, the fee is 25 cents for the head of a family or one
solely dependent upon himself for support upon proof pre-
sented by the applicant that the applicant (A) is obtaining
or has obtained assistance during the preceding six months
under any state or federal welfare program to aid the indi-
gent, or (B) has an annual income of less than \$800 for the
year preceding application, or (C) has historically been de-
pendent on fish and game for subsistence.

(6) Visitor's special sport fishing license--
valid for a period of 10 days after date of issuance . . \$ 5

(7) Nonresident sport fishing license 10

(8) Nonresident hunting license 10

(9) Nonresident hunting and sport fishing
license 20

A nonresident may not take a big game animal without previous-
ly purchasing a numbered, nontransferable, appropriate tag,
issued to him as provided in (16) of this section. The tag
shall be affixed to the animal immediately upon taking and
shall remain affixed until the animal is prepared for stor-
age, consumed or exported.

(10) Nonresident hunting and trapping license . \$100

- 1 (11) Registered guide license \$ 50
- 2 (12) Assistant guide license 25
- 3 (13) Resident fur dealer and taxidermy license 20
- 4 (14) Nonresident fur dealer and taxidermy
- 5 license 100
- 6 (15) Fish, fur or game farming license 5
- 7 (16) Nonresident big game tags:
- 8 Brown or grizzly bear, each 75
- 9 Polar bear, each 150
- 10 Black bear, or deer, each 10
- 11 Bison, moose, or sheep, each 50
- 12 Walrus, each 100
- 13 Elk, goats, or caribou, each 25

14 The commissioner of fish and game may issue without
 15 cost a permit to collect fish and game, subject to the limi-
 16 tations and provisions he considers appropriate, for scien-
 17 tific, propagative, or educational purposes. A tag issued
 18 but not used for an animal may be used to satisfy the tagging
 19 requirement for any other animal of the species above named
 20 for which the tag fee is of equal or less value.

21 * Sec. 3. AS 16.05.360 is amended to read:
 22 Sec. 16.05.360. COMMISSIONER OF REVENUE CHARGED WITH
 23 LICENSE ISSUANCE. The commissioner of revenue or his author-
 24 ized deputies shall issue each license and tag to any quali-
 25 fied person under written application containing such reason-
 26 able information as the commissioner requires. The commis-
 27 sioner shall designate the license and tag form or type.
 28 The form or type shall be sufficient to identify and locate
 29 the applicant and establish his status as to residency and

1 citizenship. Each application shall be subscribed and sworn
2 to by the applicant before an officer authorized to adminis-
3 ter oaths of the state.

4 * Sec. 4. AS 16.05.370 is amended to read:

5 Sec. 16.04.370. REPORTS OF LICENSEES. The commissioner
6 of fish and game may require a report to be made by each
7 licensee concerning the time, manner, and place of taking
8 fish and game, the kinds and quantity taken, and other in-
9 formation helpful in administering the fish and game re-
10 sources of the state.

11 * Sec. 5. AS 16.05.380 is amended to read:

12 Sec. 16.05.380. COMMISSIONER OF REVENUE MAY APPOINT
13 AGENTS. The commissioner of revenue may appoint state
14 employees, or other persons to take applications, issue
15 licenses and tags, and collect fees. The commissioner is not
16 liable for defalcation or failure to account for the fees
17 collected by any person so appointed, but he shall require a
18 bond in the sum he considers adequate, conditioned upon
19 faithfully accounting for all money collected. However, the
20 commissioner may waive the bond requirements of an instru-
21 mentality of the United States, its agents and employees,
22 where the instrumentality, its agents or employees sell
23 licenses primarily to persons in the armed forces. Each
24 person, upon appointment by the commissioner, may administer
25 oaths on applications for licenses and tags.

26 * Sec. 6. AS 16.05.390 is amended to read:

27 Sec. 16.05.390. FEE FOR ISSUANCE OF LICENSES AND TAGS.
28 A person appointed and authorized by the commissioner of
29 revenue to sell licenses and tags, except a salaried employe

1 of the state, is entitled to keep five per cent of the fee
2 for the issuance of each license or tag, or a fee of 25
3 cents, whichever is greater. Each person selling licenses
4 or tags shall, as soon as practicable after the last day of
5 each calendar month, transmit the proceeds from the sales,
6 except the amount authorized to be retained, together with a
7 report of the sales to the commissioner for deposit in the
8 fish and game fund or the general fund, as the case may be.

9 * Sec. 7. AS 16.05.450 is amended to read:

10 Sec. 16.05.450. ISSUANCE OF LICENSES. (a) The commis-
11 sioner of revenue or his authorized deputy shall issue a
12 license to each qualified person who files a written applica-
13 tion containing the reasonable information required by the
14 commissioner together with the required fee. The application
15 shall be simple in form and shall be executed by the appli-
16 cant or his agent under the penalty of perjury.

17 (b) An application for a commercial fishing license
18 must include a signed statement on a form furnished by the
19 commissioner of revenue stating, under penalty of perjury,
20 that the applicant has filed a net income tax return due the
21 state for the previous tax year, or, if the applicant did not
22 file an Alaska net income tax return for the previous tax
23 year, that he did not earn income in Alaska during that year.
24 The commissioner shall not reject a license application sole-
25 ly for failure to pay a tax.

26 * Sec. 8. AS 16.05.460 is amended to read:

27 Sec. 16.05.460. COMMISSIONER OF REVENUE MAY APPOINT
28 DEPUTIES. The commissioner of revenue may appoint qualified
29 persons as his deputies to receive applications, issue

1 licenses and collect license fees under §§ 440--720 of this
2 chapter.

3 * Sec. 9. AS 16.04.470 is amended to read:

4 Sec. 16.05.470. FEE FOR ISSUANCE OF LICENSES. Any
5 person appointed and authorized by the commissioner of
6 revenue to sell licenses under §§ 440--720 of this chapter,
7 except salaried employees of the state, shall retain the sum
8 of five per cent of the fee for the issuance of each license.
9 A deputy shall transmit monthly to the commissioner all fees
10 collected by him, less the authorized commission, together
11 with a full account of the fees. The commissioner shall make
12 monthly remittances of the fees collected to the proper state
13 official. The commissioner is not liable for defalcation or
14 failure to account for the fees collected by any such deputy,
15 but he shall require a bond in the sum he considers adequate,
16 conditioned upon the faithful accounting of money collected.

17 * Sec. 10. AS 16.05.500 is amended to read:

18 Sec. 16.05.500. REVOCATION OF VESSEL LICENSE. The
19 commissioner of fish and game may revoke a vessel license for
20 one year from the date of revocation upon a finding that the
21 operation of the vessel tends to result in the impairment,
22 depletion, or destruction of the fishery resources of the
23 state by bringing into or possessing within this state fish
24 taken by means, under conditions, or at times not permitted
25 by the laws of the state to its citizens. Upon revocation
26 of the license the operation of the vessel within the state,
27 for the purposes covered by §§ 490--530 of this chapter is
28 unlawful.

29 * Sec. 11. AS 16.05.510 is amended to read:

1 Sec. 16.05.510. UNLICENSED VESSEL UNLAWFUL. Operation
2 without a vessel license of any vessel to which §§ 490--530
3 of this chapter apply is unlawful whether the absence of a
4 license results from initial failure to purchase or from
5 revocation by the commissioner of fish and game.

6 * Sec. 12. AS 16.05.530 is amended to read:

7 Sec. 16.05.530. ANNUAL RENEWAL OF VESSEL LICENSE.
8 Upon annual payment of a license fee of \$10 for a resident
9 and \$30 for a nonresident, and filing of the name and address
10 of the owner and operator of the vessel, the name and number
11 of the vessel, a description of the vessel and fishing gear,
12 vessel license number, if any, the area to be fished, and
13 other reasonable information required by the department of
14 revenue, the department of revenue shall issue a number
15 plate and a vessel license. If the vessel has a number
16 plate, the department of revenue shall issue a vessel license
17 and tab designating the year. The tab shall be placed in
18 the space provided on the permanent number plate.

19 * Sec. 13. AS 16.05.940(4) is amended to read:

20 (4) "commissioner" means the commissioner of fish
21 and game unless specifically provided otherwise;

22 * Sec. 4. AS 16.05.940(5) is amended to read:

23 (5) "department" means the Department of Fish and
24 Game unless specifically provided otherwise;

25 * Sec. 15. AS 44.25.020 is amended to read:

26 Sec. 44.25.020. DUTIES OF DEPARTMENT. The Department
27 of Revenue shall (1) enforce the tax laws of the state; (2)
28 collect, account for, have custody, invest, and manage all
29 state funds and all revenues of the state except revenues

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incidental to a program of licensing and regulation carried on by another state department, except that the Department of Revenue shall issue fish and game licenses, collect fish and game license revenues and do all other acts incidental to the performance of these functions; (3) register log and cattle brands; and (4) supply necessary clerical and administrative services for the Alcoholic Beverage Control Board.