

Introduced: 3/14/75
Referred: Resources and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 275

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act transferring the fish and game licensing
7 functions of the Department of Revenue to the Depart-
8 ment of Fish and Game; and providing for an effective
9 date."

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

11 * Section 1. AS 16.05.335 is amended to read:

12 Sec. 16.05.335. COMPLIMENTARY LICENSES. The commissioner [OF
13 REVENUE] shall annually, at the request of the governor, provide him
14 with not to exceed 50 complimentary fishing and hunting licenses and
15 appropriate big game tags which the governor may distribute to distin-
16 guished visitors to Alaska at his discretion for their use in any one
17 season during their visits to the state. The complimentary license
18 for sport fishing or hunting or both shall be inscribed by the governor
19 with the inclusive dates for its authorized use. The governor shall
20 advise the Department of Fish and Game on any complimentary issuances,
21 which information shall be available to the public.

22 * Sec. 2. AS 16.05.340(c) is amended to read:

23 (c) The commissioner [OF REVENUE] may issue a duplicate license
24 or a duplicate tag as a replacement for a license or tag issued under
25 (a) of this section. A fee of \$2 shall be charged for each duplicate
26 license or tag and the duplicate shall not be issued unless the com-
27 missioner [OF REVENUE] or his delegate is satisfied that the original
28 has been lost or destroyed. This subsection does not apply to a 25-
29 cent license issued under (a)(5) of this section.

1 * Sec. 3. AS 16.05.360 is amended to read:

2 Sec. 16.05.360. COMMISSIONER [OF REVENUE] CHARGED WITH LICENSE
3 ISSUANCE. The commissioner [OF REVENUE] or his authorized deputies
4 shall issue each license and tag to a qualified person under written
5 application containing such reasonable information as required by the
6 commissioner. The commissioner shall designate the license and tag
7 form or type. The form or type shall be sufficient to identify and
8 locate the applicant and establish his status as to residency and
9 citizenship. Each application shall be subscribed and sworn to by the
10 applicant before an officer authorized to administer oaths in the
11 state.

12 * Sec. 4. AS 16.05.380 is amended to read:

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

25 * Sec. 5. AS 16.05.390 is amended to read:

26 Sec. 16.05.390. FEE FOR ISSUANCE OF LICENSES AND TAGS. A person
27 appointed and authorized by the commissioner [OF REVENUE] to sell
28 licenses and tags, except a salaried employee of the state, is en-
29 titled to keep five per cent of the fee for the issuance of each

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

7 * Sec. 6. AS 16.05.405(b) is amended to read:

8 (b) A resident hunting license indicating that the purchaser is
9 blind may be obtained from the department [DEPARTMENT OF REVENUE] upon
10 payment of the fee prescribed in sec. 340 of this chapter and upon
11 presentation of either an affidavit of the applicant stating that he
12 cannot distinguish light from darkness or an affidavit signed by a
13 licensed physician or a licensed optometrist stating that the applicant's
14 central visual acuity does not exceed 20/200 in the better eye with
15 correcting lenses or that his widest diameter of visual field subtends
16 an angle no greater than 20 degrees.

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

18 Sec. 16.05.450. ISSUANCE OF LICENSES. (a) The commissioner [OF
19 REVENUE] or his authorized deputy shall issue a license to each
20 qualified person who files a written application at places in the
21 state designated by the commissioner, containing the reasonable infor-
22 mation required by the commissioner together with the required fee.
23 The application shall be simple in form and shall be executed by the
24 applicant under the penalty of perjury.

25 (b) An application for a commercial fishing license must include
26 a signed statement on a form furnished by the commissioner [OF REVENUE]
27 stating, under penalty of perjury, that the applicant has filed a net
28 income tax return due the state for the previous tax year, or, if the
29 applicant did not file an Alaska net income tax return for the previous

1 tax year, that he did not earn income in Alaska during that year. The
2 commissioner shall not reject a license application solely for failure
3 to pay a tax.

4 (c) A commercial fishing gear license for a specific registration
5 area may be issued only within the specific area for which the license
6 is requested.

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

8 Sec. 16.05.460. COMMISSIONER [OF REVENUE] MAY APPOINT DEPUTIES.
9 The commissioner [OF REVENUE] may appoint qualified persons as his
10 deputies to receive applications, issue licenses, and collect license
11 fees under secs. 440 - 720 of this chapter.

12 * Sec. 9. AS 16.05.470 is amended to read:

13 Sec. 16.05.470. FEE FOR ISSUANCE OF LICENSES. A person appointed
14 and authorized by the commissioner [OF REVENUE] to sell licenses under
15 secs. 440 - 720 of this chapter, except salaried employees of the
16 state, shall retain the sum of five per cent of the fee for the issuance
17 of a license. A deputy shall transmit monthly to the commissioner all
18 fees collected by him, less the authorized commission, together with
19 a full accounting of the fees. The commissioner shall make monthly
20 remittances of the fees collected to the proper state official. The
21 commissioner is not liable for defalcation or failure to account for
22 the fees collected by a deputy, but he shall require a bond in the sum
23 he considers adequate, conditioned upon the faithful accounting of
24 money collected.

25 * Sec. 10. AS 16.05.520 is amended to read:

26 Sec. 16.05.520. NUMBER PLATE. (a) The vessel license includes
27 a permanent number plate. The number plate shall be accompanied by a
28 tab affixed to it designating the year to be fished. A number plate
29 is not transferable, and it shall be considered a permanent fixture

1 upon the vessel upon which it is originally placed. It shall be
2 securely fastened well forward on the port side in plain sight. On a
3 vessel with a superstructure the plate shall be fastened on the port
4 side of the superstructure. A number plate remains the property of
5 the state. If a permanent number plate is accidentally defaced,
6 mutilated, destroyed, or lost, the person owning or operating the
7 vessel shall immediately apply for and may obtain a duplicate upon
8 furnishing the department [DEPARTMENT OF REVENUE] with the pertinent
9 facts and a payment of \$2.

10 (b) If a vessel carrying a number plate is lost, destroyed, or
11 sold, the owner shall immediately report the loss, destruction, or
12 sale to the department [DEPARTMENT OF REVENUE].

13 * Sec. 11. AS 16.05.530 is amended to read:

14 Sec. 16.05.530. ANNUAL RENEWAL OF VESSEL LICENSE. Upon annual
15 payment of a license fee of \$10 for a resident and \$30 for a non-
16 resident, and filing of the name and address of the owner and operator
17 of the vessel, the name and number of the vessel, a description of the
18 vessel and fishing gear, vessel license number, if any, the area to be
19 fished, and other reasonable information required by the department
20 [DEPARTMENT OF REVENUE], the department [DEPARTMENT OF REVENUE] shall
21 issue a number plate and a vessel license. If the vessel has a number
22 plate, the department [DEPARTMENT OF REVENUE] shall issue a vessel
23 license and tab designating the year. The tab shall be placed in the
24 space provided on the permanent number plate.

25 * Sec. 12. AS 44.25.020(2) is amended to read:

26 (2) collect, account for, have custody of, invest, and
27 manage all state funds and all revenues of the state except revenues
28 incidental to a program of licensing and regulation carried on by
29 another state department, [EXCEPT THAT THE DEPARTMENT OF REVENUE SHALL

1 ISSUE FISH AND GAME LICENSES, COLLECT FISH AND GAME LICENSE REVENUES,]

2 and do all other acts incidental to the performance of these functions;

3 * Sec. 13. This Act takes effect July 1, 1975.

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