

1 IN THE HOUSE

BY BOYER

2

HOUSE BILL NO. 510

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act transferring responsibility for the issuance
of certain fishing, hunting, and trapping licenses,
tags, and identification cards from the commissioner
of revenue to the commissioner of fish and game."

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

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* Section 1. AS 16.05.335 is amended to read:

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Sec. 16.05.335. COMPLIMENTARY LICENSES. The commissioner [OF
REVENUE] shall annually, at the request of the governor, provide the
governor with not more than 50 complimentary fishing and hunting
licenses and appropriate big game tags which the governor may distri-
bute to distinguished visitors to Alaska for their use in any one
season during their visits to the state. The complimentary license
for sport fishing or hunting or both shall be inscribed by the gover-
nor with the inclusive dates for its authorized use. The governor
shall advise the department on any complimentary issuances, which
information shall be available to the public.

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

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(c) The commissioner [OF REVENUE] may issue a duplicate license
or a duplicate tag as a replacement for a license or tag issued under
(a) of this section. A fee of \$2 shall be charged for each duplicate
license or tag and the duplicate shall not be issued unless the com-
missioner [OF REVENUE] or a delegate is satisfied that the original
has been lost or destroyed. This subsection does not apply to a
25-cent license issued under (a)(6) of this section.

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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 an authorized deputy shall
4 issue each license and tag to a qualified person under written appli-
5 cation 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 the applicant's status as to resi-
9 dency and citizenship. Each application shall be subscribed and sworn
10 to by the applicant before an officer authorized to administer oaths
11 in the 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 the
18 commissioner shall require a bond in an adequate sum, conditioned upon
19 faithfully accounting for all money collected. However, the commis-
20 sioner may waive the bond requirements of an instrumentality of the
21 United States or its agents and employees, when the instrumentality or
22 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. FEES AND COMPENSATION FOR ISSUANCE OF LICENSES
27 AND TAGS. (a) Except as provided in (e) of this section, an agent
28 appointed and authorized by the commissioner [OF REVENUE] under
29 AS 16.05.380 to sell licenses and tags is entitled to

1 (1) retain five percent of the fee that is charged for a
2 license or tag or 25 cents for each license or tag sold, whichever is
3 greater; and

4 (2) compensation of \$50 per year or \$1 for each license or
5 tag sold during the year, whichever is greater.

6 (b) Each agent authorized to sell licenses or tags under AS 16.-
7 05.380 shall, as directed by the commissioner [OF REVENUE], transmit
8 the proceeds from the sales of licenses and tags, except the amount
9 authorized to be retained, together with a report of the sales, to the
10 commissioner for deposit in the fish and game fund or the general
11 fund.

12 (c) On March 31, June 30, September 30, and December 31 of each
13 year the commissioner [OF REVENUE] shall calculate the compensation
14 earned by an agent under (a)(2) of this section. If the compensation
15 due exceeds \$50, the commissioner shall pay the compensation not later
16 than 30 days after the date for which the compensation was calculated.
17 If the compensation due is \$50 or less, the commissioner shall pay the
18 compensation not later than January 30 of the year following the year
19 in which the compensation was earned. The commissioner shall pay
20 compensation in an amount exceeding \$50 only for sales of licenses or
21 tags for which the commissioner has received the report and proceeds
22 required to be transmitted under (b) of this section.

23 (d) Compensation provided by this section shall be paid from
24 appropriations made to the department [DEPARTMENT OF REVENUE] from the
25 general fund.

26 (e) The provisions of (a) of this section do not apply to a
27 state employee appointed by the commissioner [OF REVENUE] under
28 AS 16.05.380 to sell licenses and tags.

29 * Sec. 6. AS 16.05.400(b) is amended to read:

1 (b) A sport fishing, hunting or trapping license is not required
2 of a resident who is 60 years of age or more and has been a resident
3 for one year or more. The commissioner [OF REVENUE] shall issue a
4 permanent identification card without charge to persons who qualify by
5 age and residence and who complete the forms required by the commis-
6 sioner for implementation of this subsection. A person who is issued
7 a permanent identification card under this subsection shall have it in
8 possession while sport fishing, hunting or trapping.

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

10 (b) A resident hunting license indicating that the purchaser is
11 blind may be obtained from the department [DEPARTMENT OF REVENUE] upon
12 payment of the fee prescribed in AS 16.05.340 and upon presentation of
13 either an affidavit of the applicant stating that the applicant cannot
14 distinguish light from darkness or an affidavit signed by a licensed
15 physician or a licensed optometrist stating that the applicant's
16 central visual acuity does not exceed 20/200 in the better eye with
17 correcting lenses or that the applicant's widest diameter of visual
18 field subtends an angle no greater than 20 degrees.

19 * Sec. 8. AS 16.05.450(a) is amended to read:

20 (a) The commissioner [OF REVENUE] or an authorized agent shall
21 issue a crewmember fishing license under AS 16.05.480 to each quali-
22 fied person who files a written application at a place in the state
23 designated by the commissioner, containing the reasonable information
24 required by the commissioner together with the required fee. The
25 application shall be simple in form and shall be executed by the
26 applicant under the penalty of perjury.

27 * Sec. 9. AS 16.05.460 is amended to read:

28 Sec. 16.05.460. COMMISSIONER [OF REVENUE] MAY APPOINT AGENTS.
29 The commissioner [OF REVENUE] may appoint qualified persons as agents

1 to receive applications, issue licenses, and collect license fees
2 under AS 16.05.440 - 16.05.480, and to assist in the completion of
3 annual application or renewal forms for interim-use permits and entry
4 permits issued under AS 16.43.

5 * Sec. 10. AS 16.05.470 is amended to read:

6 Sec. 16.05.470. FEE FOR ISSUANCE OF LICENSES AND INTERIM-USE OR
7 ENTRY PERMITS. (a) A person appointed and authorized by the commis-
8 sioner [OF REVENUE] to sell licenses under AS 16.05.440 - 16.05.480,
9 except salaried employees of the state, shall retain the sum of 15
10 percent of the fee for the issuance of a license. An agent shall
11 transmit monthly to the commissioner all license fees collected by the
12 agent, less the authorized commission, together with a full accounting
13 of the fees. The commissioner shall make monthly remittances of the
14 fees collected to the proper state official. The commissioner is not
15 liable for defalcation or failure to account for the fees collected by
16 an agent, but the commissioner shall require a bond in the sum the
17 commissioner considers adequate, conditioned upon the faithful ac-
18 counting of money collected.

19 (b) A person appointed by the commissioner [OF REVENUE] under
20 AS 16.05.460 to issue licenses under AS 16.05.440 - 16.05.480, except
21 salaried employees of the state, shall retain the sum of 15 percent of
22 the interim-use or entry permit fee for assisting in completion of the
23 annual application or renewal form for the interim-use or entry per-
24 mit. An agent shall transmit promptly to the Commercial Fisheries
25 Entry Commission all application or renewal forms and fees collected
26 by the agent, less the authorized commission, together with a full
27 accounting of the fees. The commissioner and the Commercial Fisheries
28 Entry Commission are not liable for defalcation or failure to account
29 for the fees collected by an agent, but the commissioner shall require

1 a bond in the sum the commissioner considers adequate, conditioned
2 upon the faithful accounting of money collected.

3 * Sec. 11. AS 16.05.826(a) is amended to read:

4 (a) The waterfowl conservation tag authorized in
5 AS 16.05.340(a)(17) shall be produced annually in stamp form by the
6 department in an amount the commissioner [DEPARTMENT OF REVENUE]
7 considers appropriate. The department shall make stamps available for
8 the creation of waterfowl conservation limited edition prints and
9 shall provide for the sale of stamps and prints to the public.