

Introduced: 1/9/89
Referred: Resources, Judiciary
and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 76

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for, penalties
7 against, and proceeds, fees, forms, and reports
8 transmitted by agents who sell or collect fees for
9 certain licenses, tags, and permits; and providing
10 for an effective date."

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

12 * Section 1. AS 16.05.390(c) is amended to read:

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

25 * Sec. 2. AS 16.05.390 is amended by adding new subsections to read:

26 (f) Proceeds and reports under (b) of this section shall be
27 transmitted to the commissioner by the last day of the month following
28 the month in which the licenses and tags are sold, unless an alterna-
29 tive reporting schedule has been established by contract.

1 (g) The commissioner may assess a penalty against an agent who
2 does not transmit proceeds within the time allowed under (f) of this
3 section. The penalty shall be in an amount equal to one and one-half
4 percent of the amount of proceeds due. The penalty may be assessed
5 for each month or portion of a month that the proceeds are delinquent.
6 A penalty under this subsection shall be withheld from the agent's
7 compensation under (a)(2) of this section.

8 * Sec. 3. AS 16.05.460 is amended to read:

9 Sec. 16.05.460. COMMISSIONER [OF REVENUE] MAY APPOINT AGENTS.
10 The commissioner [OF REVENUE] may appoint qualified persons as agents
11 to receive applications, issue licenses, and collect license fees
12 under AS 16.05.440 -- 16.05.480[, AND TO ASSIST IN THE COMPLETION OF
13 ANNUAL APPLICATION OR RENEWAL FORMS FOR INTERIM-USE PERMITS AND ENTRY
14 PERMITS ISSUED UNDER AS 16.43].

15 * Sec. 4. AS 16.05.470 is amended by adding new subsections to read:

16 Sec. 16.05.470. FEE FOR ISSUANCE OF LICENSES [AND INTERIM-USE OR
17 ENTRY PERMITS].

18 (c) Forms and fees under (a) of this section shall be transmit-
19 ted to the commissioner by the last day of the month following the
20 month in which the fees are collected. The commissioner may grant an
21 extension of not more than 30 days if the agent establishes that

22 (1) failure to grant an extension would impose an excessive
23 financial hardship on the agent;

24 (2) the fees collected by the agent for the period, includ-
25 ing the amount that the agent is authorized to retain, totals less
26 than \$1,000; and

27 (3) the cumulative amount of fees due from the agent,
28 including the fees due for the current period, does not exceed \$1,000.

29 (d) The commissioner may assess a penalty against an agent who

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does not transmit fees within the time allowed under (c) of this section. The penalty shall be in an amount equal to one and one-half percent of the amount of fees due. The penalty may be assessed for each month or portion of a month that the fees are delinquent.

* Sec. 5. AS 16.05.470(b) is repealed.

* Sec. 6. This Act takes effect immediately under AS 01.10.070(c).