

HB

229

DO PASS 2/20/79

with recommendation for further referral to Finance Committee

COMMITTEE REPORT

HOUSE

FURTHER:

February 15, 1979

Date: _____

Mr. Speaker:

The Committee on RESOURCES has had HB 229

"An Act relating to a fee permit system for king salmon and steelhead trout sport fishing."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

CHAIRMAN

I. REQUEST
 Bill/Resolution No. HB 229
 Title An Act relating to a fee permit for king salmon and steelhead trout
 Requested by House Resources Committee Date 2/20/79

II. FISCAL DETAIL
 Agency Affected Department of Fish & Game
 Program Category Affected Natural Resources
 Budget Request Unit(s) Affected Sport Fish

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

REVENUE (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						
Fish & Game Fund		208.8	215.1	221.5	228.2	235.0

POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Cook Inlet Only

Assume - Sale of between 40,000 and 50,000 permits
 Use mean of 45,000 @ \$5,000 = \$225,000.00 revenue
 minus 5% for vendor share (11,250.00)
 Sub-total \$213,750.00
 minus cost of printing 50,000 permits (5,000.00)
 TOTAL Revenue \$208,750.00 FY '80
 Growth of fund straight line at 3% annually

IV. DATE 2/20/79 PREPARED BY *Russell H. Clark* Russell H. Clark
 AGENCY Fish & Game
 PHONE 465-4120

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 Keith Specking
 33 001 (Rev. 10/78)
 File

FISCAL NOTE

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accounting for and custody of state revenues which are only incidental to the Department's regulation and management of the fish and game resources of the State of Alaska.

THEREFORE IT IS ORDERED

1 All duties, functions and powers relative to the collection, accounting for and custody of state revenues, which are only incidental to the regulation and management of the fish and game resources of the State of Alaska, at present performed by the Department of Fish and Game, are transferred to the Department of Revenue.

2 The Department of Revenue shall be deemed and held to constitute a continuation of the Department of Fish and Game with the same force and effect, as to the transferred functions, powers and duties as if the functions, powers and duties had not been transferred.

All funds appropriated to the Department of Fish and Game prior to the transfer of those functions, powers and duties attributable to the transferred functions, powers and duties are transferred to appropriate line items in the

appropriation of the Department of Revenue.

"4. This order shall become effective at a date hereafter to be designated. "Dated November 24, 1961"

Alaska's fish and game laws are applicable as federal law on military reservations. 1964 Op. Att'y Gen. No. 2

Hunting or fishing at a military reservation must be in accord with Alaska laws regulating seasons, bag limits, methods of taking, etc. 1964 Op. Att'y Gen. No. 2.

But military personnel are not required to comply with licensing requirements while on reservation. 1964 Op. Att'y Gen. No. 2.

Since AS 16.05.94(14) does not grant special resident privileges to military personnel, which is a requisite for requiring them to purchase licenses for use on military reservations under 10 U.S.C. 2671(a)(2), they cannot be required to do so. 1964 Op. Att'y Gen. No. 2

ALR reference. — Applicability of state fishing license laws or other public regulations to fishing in private lake or pond. 13 ALR2d 734

Sec. 16.05.335. Complimentary licenses. The commissioner of revenue shall annually, at the request of the governor, provide him with not to exceed 50 complimentary fishing and hunting licenses and appropriate big game tags which the governor may distribute to distinguished visitors to Alaska at his discretion 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 governor with the inclusive dates for its authorized use. The governor shall advise the Department of Fish and Game on any complimentary issuances, which information shall be available to the public (§ 1 art II ch 94 SLA 1959; am § 1 ch 61 SLA 1962; am § 1 ch 31 SLA 1963; am § 1 ch 6 SLA 1965)

Sec. 16.05.340. License and tag fees. (a) Fees for licenses and tags are as follows:

- (1) Resident sport fishing license \$10
- However, the fee is 25 cents for a resident who is blind.
- (2) Resident hunting license 12
- (3) (A) Resident hunting and trapping license 15
- (B) Resident trapping license 3
- (4) Resident hunting and sport fishing license 22
- (5) Resident hunting, trapping, and sport fishing license 25

However, the fee is 25 cents for the head of a family or a dependent member of his family or one solely dependent upon himself for support upon proof presented by the applicant that the applicant (A) is obtaining or has obtained assistance during the preceding six

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months under any state or federal welfare program to aid the indigent, or (B) has an annual family gross income of less than \$3,600 for the year preceding application.

(6) Visitor's special sport fishing license — valid for the period inscribed on the license

- (A) For 10-day license 15
- (B) For one-day license 5
- (7) Nonresident sport fishing license 30
- (8) Nonresident hunting license 60
- (9) Nonresident hunting and sport fishing license 90

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

- (10) Nonresident hunting and trapping license 200
- (11) Repealed by § 2 ch 32 SLA 1968.
- (12) Repealed by § 2 ch 32 SLA 1968.
- (13) Fur dealers:
 - (A) Resident fur dealer license 50
 - (B) Nonresident fur dealer license 200
- (14) Taxidermists:
 - (A) Resident taxidermy license 75
 - (B) Nonresident taxidermy license 200
- (15) Fish, fur or game farming license 100
- (16) Nonresident big game tags:
 - (A) Bear, black, each 100
 - (B) [deleted]
 - (C) Bear, brown or grizzly, each 250
 - (D) Bear, polar, each 250
 - (E) Bison, each 250
 - (F) Caribou, each 200
 - (G) Deer, each 35
 - (H) Elk, each 125
 - (I) Goat, each 125
 - (J) Moose, each 200
 - (K) Sheep, each 50
 - (L) Walrus, each 250
 - (M) Wolf, each 50
 - (N) Wolverine, each 50

- (17) Repealed by § 2 ch 32 SLA 1968.
- (18) [deleted] for bear, brown or grizzly, each 25
- (19) Resident or nonresident permit application fee (all species for which a detailed drawing is conducted, except musk oxen) 5
- (20) [deleted] permit application fee (all species for which a detailed drawing is not conducted, except musk oxen) 5
- (21) [deleted] permit application fee (all species for which a detailed drawing is not conducted, except musk oxen) 5

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- (B) for e
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- (C) for e
- (3) sheep:

§ 16.05.400

ALASKA STATUTES

§ 16.05.407

Effect of amendment. — The 1976 amendment added the third sentence. (SSSSB 335), see 1976 House Journal, p. 910.

Legislative committee report. — For report on ch. 265, SLA 1976 (FCCS HCS

Sec. 16.05.400. Persons exempt from license requirement. (a) A license is not required of a resident or nonresident person under the age of 16 years for sport fishing nor shall a license be required of any resident under the age of 16 for hunting or trapping.

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(b) A sport fishing, hunting or trapping license is not required of a resident who is 60 years of age or more and has been a resident for 30 consecutive years or more, as long as he remains a resident. (§ 9 art 11 ch 94 SLA 1959; am § 3 ch 180 SLA 1972)

Sec. 16.05.405. Taking game by proxy for the blind. (a) A resident holding a valid hunting license may take moose, caribou, deer, or elk under a hunting license issued to a blind resident in accordance with (b) of this section if the resident has the license of the blind person in his actual possession.

(b) A resident hunting license indicating that the purchaser is blind may be obtained from the Department of Revenue upon payment of the fee prescribed in § 340 of this chapter and upon presentation of either an affidavit of the applicant stating that he cannot distinguish light from darkness or an affidavit signed by a licensed physician or a licensed optometrist stating that the applicant's central visual acuity does not exceed 20/200 in the better eye with correcting lenses or that his widest diameter of visual field subtends an angle no greater than 20 degrees. (SLA 1967)

Sec. 16.05.407. Nonresident hunting game animals must be accompanied by guides. (a) It is unlawful for a nonresident to hunt, kill or take brown bear, grizzly bear, polar bear or sheep in this state, unless personally accompanied by a person who is licensed as a master guide, registered guide or assistant guide by the department, or who is personally accompanied by a resident Alaskan over 19 years of age who is the spouse of or is related by blood within and including the second degree of kindred. A person who applies for a nonresident big game tag for the taking of an animal specified in this section shall first apply to the state, on a form provided by the state, an affidavit stating that he will be accompanied on his hunt by a person who is qualified under the terms of this section. A person who falsifies the required affidavit is guilty of perjury.

(b) It is unlawful for a nonresident to import polar bear into this state unless personally accompanied by a person who is licensed as a master guide, registered guide or assistant guide by the department.

(c) A nonresident who violates (a) of this section is guilty of a misdemeanor and upon conviction is punishable by a fine or imprisonment for not

§ 16.05.410

more than one (§ 1 ch 86 SLA

Revisor's note. SLA 1967, both designated AS 16.0.

Sec. 16.05.41 a first violation law or regulatory state, the court his license.

(b) Upon sub — 430 of this c protection of th his license.

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(d) Repealed

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§ 17 ch 131 SL 1964; am § 2 cl

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Sec. 16.05.42 in an applicatio person who kn material fact ir

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(c) Repealed

(d) Repealed

§ 16 ch 131 SL 1965

Revisor's note originally referred Act which now over § 16 ch the first paragraph or (d) instead of