

S

B

9

6

# HOUSE COMMITTEE REPORT

File copy

(11)

Date Referred: April 18, 1989

FURTHER REFERRALS:

Date of Committee Action: 3-12-90

The FINANCE Committee considered: CSSB 96(RES)(Title am)

CS FOR SENATE BILL NO. 96 (Res)(title am) : [FISH & GAME LICENSE AGENTS]  
 "An Act relating to penalties against and duties of agents who sell or collect fees for certain licenses, tags, and permits; requiring reports and proceeds to be received before compensation is paid to agents who sell certain licenses, tags, and permits; repealing the duties of and compensation for agents who assist in completing forms for interim-use and entry permits; and providing for an effective date."

**RECOMMENDATIONS:**

- [ ] be replaced with \_\_\_\_\_ [ ] the same title
- [ ] \_\_\_\_\_ [ ] a new title
- [ ] have attached amendment(s)
- [X] do pass
- [ ] do not pass
- [ ] no recommendation
- [ ] individual recommendations
- [ ] additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Date/Dept)

- [ ] fiscal impact \_\_\_\_\_
- [X] zero fiscal note F&G REV
- [ ] zero with analysis \_\_\_\_\_
- [ ] fiscal note(s) \_\_\_\_\_
- [ ] zero fiscal note(s) \_\_\_\_\_
- [ ] zero fn/analysis \_\_\_\_\_

**SIGNING DO PASS:**

**SIGNING:**  
(Check approp. column)

Do Not Pass    No Rec    Amend

<u>[Signature]</u> Hoffman	<u>[Signature]</u> BROWN		✓	
<u>[Signature]</u> CARSON	<u>[Signature]</u> KOPONEN		✓	
<u>[Signature]</u> SWANKHAMMER				
<u>[Signature]</u> ULMER				
<u>[Signature]</u> BARNES				
<u>[Signature]</u> RIEGER				

[Signature] CARSON  
 Chairman's Signature  
[Signature] Hoffman

R/O HFC 3-12-90

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION: CSSB 96

PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: March 3, 1990 Amended  
Title: An Act transferring issuance of fishing, hunting, trapping licenses...  
Sponsor: Rules Committee  
Requestor: Governor

Agency Affected: Revenue  
BRU: Income & Excise Audit

Components: Operating

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
<b>OPERATING</b>						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
<b>TOTAL OPERATING</b>	-	-	-	-	-	-
<b>CAPITAL</b>	-	-	-	-	-	-
<b>REVENUE</b>	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
<b>TOTAL</b>	-	-	-	-	-	-

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Steven E. Kettel  
Division: Income and Excise Audit

Phone: (907) 465-2320  
Date: March 9, 1990

Approved by Commissioner: Hugh Malone  
Agency: Department of Revenue

Date: March 9, 1990

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: An Act relating to compensation for penalties, proceeds. . .  
 Sponsor: Rules  
 Requestor: Governor Cowser

Agency Affected: Fish and Game  
 BRU: Administration and Support  
 Components: Administrative Services

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

No fiscal impact, FY 90

Prepared by: Beverly Reaume *Beverly Reaume*  
 Division: Administration

Phone: 465-4120  
 Date: 3/12/90

Approved by Commissioner: *Conrad Calverworth*  
 Agency: Fish and Game

Date: 3/12/90

**Distribution (by preparer):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Amended: 4/14/89  
Offered: 3/9/89  
Referred: Finance

go0029sE

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 96 (Resources)(title am)

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 penalties against and duties of  
7 agents who sell or collect fees for certain licenses,  
8 tags, and permits; requiring reports and proceeds to  
9 be received before compensation is paid to agents who  
10 sell certain licenses, tags, and permits; repealing  
11 the duties of and compensation for agents who assist  
12 in completing forms for interim-use and entry per-  
13 mits; and providing for an effective date."

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

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

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

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

29 (f) Proceeds and reports under (b) of this section shall be

1           (d) The commissioner may assess a penalty against an agent who  
2 does not transmit fees within the time allowed under (c) of this  
3 section. The penalty is equal to one and one-half percent of the  
4 amount of fees due. The penalty may be assessed for each month or  
5 portion of a month that the fees are delinquent.

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

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

STEVE COWPER  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

96

January 9, 1989

The Honorable Tim Kelly  
President of the Senate  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Senator Kelly:

Under the authority of art. III, sec. 23, of the Alaska Constitution, I am transmitting Executive Order No. 73, transferring the functions of issuing fishing, hunting, and trapping licenses, tags, and identification cards from the Department of Revenue to the Department of Fish and Game.

Also, under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a related bill that would make some changes and additions to AS 16.05.390, 16.05.460, and 16.05.470, concerning agents appointed to serve as private license vendors.

The Executive Order will make the operation of state government more efficient because the transfer of the fish and game licensing function places that function in the department that is responsible for the resource management programs that are partially funded by the license revenue. Also, that department, the Department of Fish and Game, can more efficiently gather the most appropriate information during the license issuance process to assist in its management functions. The transfer will reduce the number of departments an individual must contact if the individual intends to take fish or game. At the same time, because the Department of Fish and Game has more field offices than does the Department of Revenue, the transfer will probably make the contact more convenient.

In addition, the transfer will enable the Department of Revenue to focus more of its attention and resources on its primary responsibility -- collecting revenue owed to our state government.

Sections 1 -- 12 of the Executive Order delete references in AS 16.05.335 -- 16.05.826 to the commissioner of revenue and to the Department of Revenue, leaving only references to the "commissioner" and the "department." Those terms are then defined in AS 16.05.940(6) and (7), respectively, as the commissioner of fish and game and the Department of Fish and Game.

Sections 13 and 14, respectively, of the Order delete the power to issue fish and game licenses from the Department of Revenue powers listed in AS 44.25.020 and add it to the Department of Fish and Game powers set out in AS 44.39.020. Section 15 of the Order sets out transition provisions regarding regulations relating to the transferred function.

The only other changes made by the Executive Order are a few housekeeping clarifications in AS 16.05.390 and 16.05.470, and in AS 44.25.020 (secs. 6, 11, and 13 of the Order). No substantive changes, other than the transfer itself, are made by this Order.

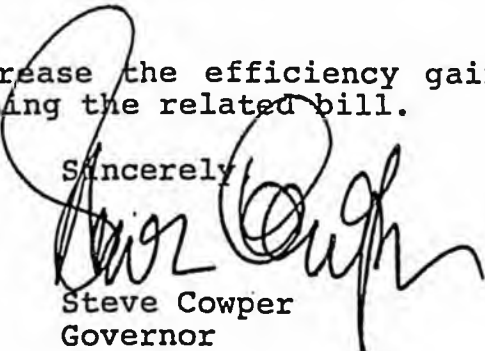
Sections 1, 2, and 4 of the related bill amend AS 16.05.390 (concerning vendors of all licenses but commercial fishing licenses) and 16.05.470 (concerning vendors of commercial fishing licenses), to allow penalties to be assessed against license vendors or agents who do not transmit to the Department of Fish and Game, in a timely manner, the license fees that they collect.

Sections 2 and 4 of the related bill also specify that the monthly reports and fee transmittals that are already required from vendors must be made by the last day of the month after fees are collected, unless an alternative schedule is set by contract for vendors covered by AS 16.05.390, or unless an extension is granted for vendors covered by AS 16.05.470.

Finally, secs. 3 and 5 of the related bill delete reference in AS 16.05.460 and 16.05.470 to issuance of interim-use and entry permits by vendors. This deletion merely eliminates possible confusion, and conforms the statute to the reality that private vendors have not issued limited entry permits since 1979.

I urge you to further increase the efficiency gained from the Executive Order by passing the related bill.

Sincerely,

  
Steve Cowper  
Governor