

HB

76

# HOUSE COMMITTEE REPORT

(9)

Date Referred: January 9, 1989

FURTHER REFERRALS: JUDICIARY  
FINANCE

Date of Committee Action: 1-30-89

The RESOURCES Committee recommends that:

HOUSE BILL NO. 76 [FISH & GAME LICENSE AGENTS]

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

[ ] be replaced with \_\_\_\_\_ [ ] the same title  
[ ] a new title

[ ] have attached amendment(s)

- ] do pass
- [ ] do not pass
- [ ] no recommendation
- [ ] individual recommendations
- [ ] additional referral to the \_\_\_\_\_ Committee

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

ATTACHES NEW FISCAL NOTE(S):

[ ] fiscal impact

~~[ ] zero fiscal note 1-19-89~~

~~[ ] zero with analysis 1-19-89~~

APPROVES PREVIOUS:

[ ] fiscal note(s) published:

] zero fiscal notes(s) published:  
2 sub - 1-9-89

SIGNING DO PASS:

[Signature]

[Signature]

Richard (Tony)

(Bert) Sharp

Mike Davis

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNING OTHER THAN DO PASS:  
(Do Not Pass, No Recommendation, Amend)

[Signature]

Bill Hulse NO REC

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

[Signature]  
Chairman's signature

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Fish and Game  
 Title: An act relating to compensation  
for, penalties against, proceeds... BRU: \_\_\_\_\_  
 Sponsor: Rules Components: \_\_\_\_\_  
 Requestor: Steve Cowper

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

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

CAPITAL						
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REVENUE						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

See Bill Analysis. Changes in funding due to this transfer are included in the Fish and Game operating budget.

Prepared by: Beverly Reaume *Beverly Reaume* Phone: 465-4120  
 Division: Administration Date: 12-16-88  
 Approved by Commissioner: Donna Reed *Donna Reed* Date: 12-19-88  
 Agency: Department of Fish and Game

**Distribution (by preparer):**

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

STATE OF ALASKA  
1989 LEGISLATIVE SESSION

BILL VERSION: HB 76 & EX ORDER 73  
PUBLISH DATE: HOUSE 1/9/89

## FISCAL NOTE

## REQUEST:

Revision Date: \_\_\_\_\_  
Title: "An Act transferring issuance of  
fishing, hunting, trapping licenses..."  
Sponsor: Rules Committee  
Requestor: Governor

Agency Affected: Revenue  
BRU: Income and Excise Audit  
Components: \_\_\_\_\_

## EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

## FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

## POSITIONS:

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

ANALYSIS: See attached analysis.

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

Phone: (907) 465-2320  
Date: December 19, 1988

Approved by Commissioner: Hugh Malone  
Agency: Department of Revenue

Date: December 19, 1988

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

Prepared By: Steven E. Kettel  
Income and Excise Audit Division  
Department of Revenue  
December 19, 1988

At the time of drafting this fiscal note an executive order was being drafted for Governor Cowper's signature transferring the Fish and Game Licensing Program from Department of Revenue to Department of Fish and Game. To effect the transfer, legislation amending the statutory responsibility is also necessary.

The Department of Revenue supports this legislation transferring the fish and game licensing program to the Department of Fish and Game.

This program consists of the following features:

- 1) coordination of statewide sales of fish and game licenses, tags, permits and duck stamps through over 900 private vendors;
- 2) design and mailout of licenses and forms;
- 3) data capture of monthly, quarterly, and annual sales reports from the vendors;
- 4) processing and deposit of cash receipts;
- 5) reconciliation of vendor reports to cash receipts; and
- 6) paying additional compensation to vendors based upon the number of licenses sold.

To effect the transfer, the Department of Revenue will give the Department of Fish and Game the resources it has allocated to the program. Funding for the resources is being transferred through the Department's budget as a C-4 Transfer within Adjusted Base. Transferred resources include:

- 1) Data processing software and documentation including file layouts, flow chart, program listing, data file tapes, etc., assuring that Fish and Game would convert the data from a Wang file structure to an IBM file structure and the Wang COBOL programs to IBM COBOL programs.
- 2) Transfer of funding will include:

A) Personal Services

The following positions will transfer from the Income and Excise Audit Division with associated funding of \$188.1:

<u>Position</u>	<u>Range/Step</u>	<u>FY 89 Budget</u>
Revenue Licensing Supervisor	16K	\$54.8
Accounting Supervisor I	14J	\$46.7
Clerk Typist II	7B	\$26.9
Accounting Clerk II	9D	\$31.4
Clerk Typist III	8B	\$28.3
		<u>\$188.1</u>

The following position will transfer from the Administrative Services Division with associated funding of \$38.7:

<u>Position</u>	<u>Range/Step</u>	<u>FY 89 Budget</u>
Data Entry Center Supervisor	14A	\$38.7

B) Contractual

The following associated funds will transfer from the Income and Excise Audit Division:

Vendor Compensation:	\$356.6
Printing, Postage, Telephone:	\$36.8
	<u>\$393.4</u>

C) Supplies

The transfer of associated supply funds from the Income and Excise Audit Division Will be \$2.5.

The transfer of associated supply funds from the Administrative Services Division will be: \$.1

SUMMARY OF TRANSFERS:

Personal Services	\$226.8
Contractual	\$393.4
Supplies	\$2.6
Total Transfer:	<u>\$622.8</u>

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000  
JUNEAU, ALASKA 99802-2000  
PHONE: (907) 465-4100

January 26, 1989

The Honorable Cliff Davidson, Co-Chair  
The Honorable Curt Menard, Co-Chair  
House Resources Committee  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Representatives Davidson and Menard:

House Bill 76 and Executive Order 73 are the two final steps necessary to complete the transfer of the responsibility for hunting and fishing license sales from the Department of Revenue to the Department of Fish and Game. Administrative Order 11 issued in July 1988 began the transfer. At present the Department of Fish and Game is selling and accounting for hunting, fishing, and trapping licenses. The transfer from the Department of Revenue to the Department of Fish and Game included the transfer to the Department of Fish and Game of Revenue's FY 89 budget for this program and the transfer of five positions. Unfortunately, funding for the program as operated by the Department of Revenue was never adequate and that remains the case to the present.

The following paragraphs will discuss both the Executive Order and HB 76. The bill is primarily designed to clarify compensation paid to vendors and to enable the department to effectively collect the amounts due from those selling licenses. There apparently have been cases in the past where license vendors have sold hunting and fishing licenses but have not transmitted in a timely manner--and sometimes not at all--proceeds due the state. The bill clearly sets forth the time frame in which such remittances are due to the state and penalties which the department may exact to ensure compliance.

The Executive Order will make the operation of state government more efficient because the transfer of the fish and game licensing function places the 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

The Honorable Cliff  
Davidson  
The Honorable Curt Menard

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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 (Sections 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, Sections 3 and 5 of the related bill delete reference in AS 16.05.460 and 16.05.470 to issuance of

The Honorable Cliff  
Davidson  
The Honorable Curt Menard

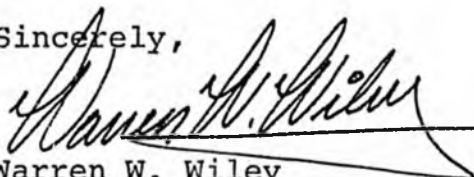
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interim-use and entry permits by vendors. This deletion merely eliminates possible confusion and conforms the statute to the reality that private vendors have not issued limited entry permits since 1979.

Representatives from the Department of Fish and Game will be on hand for the Committee's hearing on both the Executive Order and HB 76. We will be prepared to answer any questions at that time. If there is further detailed information the Committee desires before the hearing, I will be happy to provide it.

Sincerely,

A handwritten signature in cursive script, appearing to read "Warren W. Wiley", is written over a horizontal line.

Warren W. Wiley  
Assistant Commissioner

cc: House Resources Committee Members