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SENATE COMMITTEE REPORT

FURTHER

3/21/89

DATE TURNED INTO OFFICE 4/11/89

Mr. President:

Finance Committee considered SB 176

use of big game harvest permits as prizes or premiums in fund-raising activities for fish and game conservation and law enforcement purposes conducted by qualified nonprofit organizations and recommended

- replace with CS SB 176 (Finance)) same title
- or adopt CS) new title
- attached amendment(s) and technical title change (HB only)
- letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

FISCAL NOTE(S) ^{DPS} zero ^{DFEG revised (revenue)} fiscal impact appropriation no FN

new updated previous

same as previous fiscal note(s) published _____

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]

[Signature]

Paul [Signature]

[Signature] DO PASS

Chairman signature and recommendation

Committee Backup attached

[Signature] DO PASS

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: _____
 Title: An Act Relating to the Use of Fish and Game Harvest Permits as Prizes for Fundraising. BRU: Wildlife Conservation
 Sponsor: Senator Frank Components: _____
 Requestor: Senate Resources Committee

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						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE	0	\$25.0	\$30.0	\$35.0	\$35.0	\$35.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) Passage of SB 176 would result in no additional expenditures by the department. There is a potential, however, for adding considerable funds to the Fish and Game Fund for subsequent expenditures by the Division of Wildlife Conservation.

Prepared by: Donald E. McKnight Phone: 465-4190
 Division: Wildlife Conservation Date: April 6, 1989
 Approved by Commissioner: Warren Willey Asst. Commissioner Date: April 6, 1989
 Agency: Department of Fish and Game

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

RECEIVED

APR 6 1989

R/O SFC 4-4-89

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CSSB 176 (Fin) (b)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: 3/21/89
Title: Big game harvest permits as prizes
Sponsor: Senator Frank
Requestor: Senate Resources

Agency Affected: Public Safety
BRU: Fish and Wildlife Protection
Component: _____

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

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

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Since this bill does not create any added impact on the resource or additional resource users in the field, we do not anticipate any additional expenditure of funds.

Prepared by: Lt. William Valentine
Division: Fish and Wildlife Protection
Approved by Commissioner: Arthur English
Agency: Department of Public Safety

Phone: 789-2161
Date: 3/21/89
Date: 3/21/89

Uttermohe
4/4/89
Frank
Adopted

Original sponsor: Frank

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 176 (Finance)

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 auctions and raffles for bison
7 harvest permits; and providing for an effective
8 date."

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

10 * Section 1. AS 16.05 is amended by adding a new section to read:

11 Sec. 16.05.343. AUCTIONS AND RAFFLES FOR BISON HARVEST PERMITS.

12 (a) The department, subject to regulations adopted by the Board of
13 Game, may issue one bison harvest permit each year for a bison from
14 the Delta bison herd through a competitive auction or raffle. Not-
15 withstanding AS 36.30, the department may authorize a qualified orga-
16 nization to conduct the auction or raffle on behalf of the department.
17 If the auction or raffle is conducted by a qualified organization, the
18 organization may retain an amount from the gross proceeds of the
19 auction or raffle equal to the administrative cost of the auction or
20 raffle plus an amount not to exceed 10 percent of the net proceeds.
21 All remaining proceeds from the auction or raffle of the bison harvest
22 permit whether conducted by the department or as otherwise authorized
23 by the department shall be deposited in the fish and game fund under
24 AS 16.05.100.

25 (b) The exercise of a privilege conferred by a bison harvest
26 permit issued under this section is subject to laws relating to the
27 time, place, and manner of taking bison from the Delta bison herd.

28 (c) In this section "qualified organization" means a nonprofit
29 corporation established to promote fish and game law enforcement that

1 complies with applicable laws governing activities under this section.

2 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

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6-0539M
Utermohle
3/29/89

Original sponsor: Frank

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 176 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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12 MITS. (a) The department, subject to regulations adopted by the
13 Board of Game, may issue one bison harvest permit each year for a
14 bison from the Delta bison herd through a competitive auction or
15 lottery. Notwithstanding AS 36.30, the department may authorize a
16 qualified organization to conduct the auction or lottery on behalf of
17 the department. If the auction or lottery is conducted by a qualified
18 organization, the organization may retain an amount from the gross
19 proceeds of the auction or lottery equal to the administrative cost of
20 the auction or lottery plus an amount not to exceed 10 percent of the
21 net proceeds. All remaining proceeds from the auction or lottery of
22 the bison harvest permit whether conducted by the department or as
23 otherwise authorized by the department shall be deposited in the fish
24 and game fund under AS 16.05.100.

25 (b) The exercise of a privilege conferred by a bison harvest
26 permit issued under this section is subject to laws relating to the
27 time, place, and manner of taking bison from the Delta bison herd.

28 (c) In this section "qualified organization" means a nonprofit
29 corporation established to promote fish and game law enforcement that

1 complies with applicable laws governing activities under this section.

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6-0539D

Utermohle
3/28/89

Original sponsor: Frank

Senator Frank
3/29/89

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 176 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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12 MITS. (a) The department, subject to regulations adopted by the
13 Board of Game, may issue one bison harvest permit each year for a
14 bison from the Delta bison herd through a competitive auction or
15 lottery. Notwithstanding AS 36.30, Alaska Fish and Wildlife Safe-
16 guard, Inc. may be authorized by the department to conduct the auction
17 or lottery on behalf of the department. If the auction or lottery is
18 conducted by Alaska Fish and Wildlife Safeguard, Inc., the organiza-
19 tion may retain an amount from the gross proceeds of the auction or
20 lottery equal to the administrative cost of the auction or lottery
21 plus an amount not to exceed 10 percent of the net proceeds. All
22 remaining proceeds from the auction or lottery of the bison harvest
23 permit whether conducted by the department or as otherwise authorized
24 by the department shall be deposited in the fish and game fund under
25 AS 16.05.100.

26 (b) The exercise of a privilege conferred by a bison harvest
27 permit issued under this section is subject to laws relating to the
28 time, place, and manner of taking bison from the Delta bison herd.

29 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 28, 1989

SUBJECT: CSSB 176 (); An Act relating to auctions
and lotteries for bison harvest permits

TO: Senator Steve Frank

FROM: George Utermohle *GU*
Legislative Counsel

Enclosed is a draft of CSSB 176() which provides that the Alaska Department of Fish and Game may issue bison harvest permits through a competitive auction or lottery and that the department may use the services of Alaska Fish and Wildlife Safeguard, Inc. to conduct the auction or lottery on its behalf.

The fact that the department may use only the services of a specified organization to conduct the auction or lottery and that the organization will be compensated for its services raises the issue of whether this element of the bill is "local or special" legislation.

Article II, section 19 of the Alaska Constitution provides in part:

The legislature shall pass no local or special act if a general act can be made applicable. Whether a general act can be made applicable shall be subject to judicial determination.

The test employed by the Alaska Supreme Court for article II, section 19 is substantially the same as that applied to equal protection analysis. Upon examining the legislative goals and the means used to advance them, the court determines whether the legislation bears a fair and substantial relationship to a legitimate purpose. (State v. Lewis, 559 P.2d 630, 643 (Alaska 1977)) To satisfy the fair and substantial relationship standard, the classification must be tailored to the purpose of the legislation. A classification created by the legislation must be neither overinclu-

Senator Steve Frank
Page 2
March 28, 1989

sive nor underinclusive. (Isakson v. Rickey, 550 P.2d 350, 362 (Alaska 1976)) If the "fair and substantial relationship" standard is met, the bill will not be invalidated because of incidental local or private advantages. (Lewis, 559 P.2d at 643)

It is evident from the bill that its purpose is to raise revenue for the Department of Fish and Game which is a legitimate public purpose. However, it is unclear from the bill how limiting the department to use of the services of Alaska Fish and Wildlife Safeguard, Inc. is related to achieving the bill's purpose. If the bill is challenged the state must be able to show that this limitation on the power of the department bears a fair and substantial relationship to the purpose of the bill, that general legislation could not achieve this purpose, and that any advantages conferred on Alaska Fish and Wildlife Safeguard, Inc. are merely incidental to achieving the purpose of the bill.

In anticipation of a potential challenge to the bill on the ground that it is "local or special" legislation, the legislature should during its consideration of this bill clearly establish its purpose for limiting the right to provide services to the department to a single organization. Also reasons justifying the selection of this particular organization to provide services to the department should be set out in the legislative history of the bill.

As a practical matter, the likelihood of a challenge to this bill will largely depend on whether the bill is controversial. Prior cases involving "local and special" legislation involved controversial issues, establishment of the Eagle River Borough and the Cook Inlet land exchange; the legislation addressing both of these issues was challenged soon after passage. If there is no controversy surrounding CSSB 176() (and if the governor approves the legislation), it may be that the bill will never be challenged.

The legislature has in the past conferred special benefits on particular private organizations. The notable instances involve exclusive franchises given to private nonprofit organizations to operate certain charitable gaming activities under AS 05.15. The Fairbanks Montessori Association and the Kenai Chamber of Commerce may operate goose classics where prizes are awarded for the closest guess of the time of arrival of the first goose in spring to a specific area in each community. The Bethel Social Services, Inc., Kenai

Senator Steve Frank
Page 3
March 28, 1989

and Soldotna Rotary Clubs, and the City of Fort Yukon have exclusive authority to operate an ice classic in their respective communities. The Greater Fairbanks Chamber of Commerce may operate the only mercury classic in the state. The United Fisherman of Alaska has the exclusive franchise to operate a salmon classic in the state. Other charitable gaming activities such as fish derbies, rain classics, dog mushers' contests, bingo, casinos, and pull tab games are open to any qualified nonprofit organization.

Please contact me, if I can provide further assistance.

GU:lmb:mi
L7/040

Enclosure

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3900

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 21, 1989

SUBJECT: Fund raising activities of nonprofit organizations

TO: Senator Steve Frank
Attn: Teresa Sager

FROM: George Utermohle *GU*
Legislative Counsel

You have asked how administrative costs of fund raising activities are determined for nonprofit organizations subject to AS 05.15.

In order for a nonprofit organization to conduct certain fund raising activities, the organization must obtain a permit from the Department of Revenue. The organization must submit at least an annual report on the activities that it has conducted during the prior year. The report must include a description of the activities conducted under the permit and must also include for each activity, the total amount of gross receipts, the total amount of authorized expenses, and the total amount of the net proceeds. (AS 05.15.080(b)).

The gross receipts of an activity are the receipts collected by the organization from participants in the activity and includes the price charged for tickets or other rights to participate in the activity, admission fees, money obtained from the sale of equipment or supplies associated with the activity, and all other miscellaneous receipts. (AS 05.15.210(17)). The net proceeds of an activity are determined by subtracting the additional license fee due from certain organizations under AS 05.15.020(b), the authorized administrative costs allowed under AS 05.15.160, and the value of prizes awarded from the gross receipts.

Those administrative expenses that an organization may incur and charge against the gross receipts are bona fide expenses

Senator Steve Frank
Page 2
February 21, 1989

reasonably necessary for goods, wares, and merchandise necessary for the operation of the activity and personal services involved with the operation of the activity. (AS 05.15.160). The personal services may be performed by an employee of the qualified organization or an operator employed by the organization to conduct the activity on its behalf. An organization may pay its employees a reasonable amount in wages or other compensation for the services provided while conducting the activity. A reasonable amount of compensation is an amount approximating the amount ordinarily paid by similar businesses for similar work performed under similar circumstances. The authorized and unauthorized expenses that may be incurred in conducting a fund raising activity are set out in more detail in regulations at 15 AAC 105.220. A copy of this regulation is attached.

You have also asked what fund raising activities are subject to the requirements of AS 05.15.

Certain types of fund raising activities conducted by or on the behalf of qualified organizations and municipalities are subject to AS 05.15. A qualified organization is a bona fide civic, service, religious, charitable, fraternal, labor, political, or educational organization or certain other organization that has been in existence for at least three years and that operates without profit to its members. (AS 05.15.210(28)).

The activities conducted under the authority of AS 05.15 are not legally considered gambling, but under AS 05.15 nonprofit organizations may conduct for fund raising purposes various games that are traditionally considered to be gambling. AS 05.15 regulates the conduct of fund raising activities involving raffles, lotteries, bingo games, pull-tab games, various kinds of classics, card games, dice games, roulette, and other forms of gambling.

AS 05.15 does not regulate auctions.

If I may be of further assistance, please advise.

GU:lmb
L7/016

STEVE FRANK
DISTRICT K
SEAT A

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701

While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709
Capitol Rm. 514

Alaska State Legislature



Senate

MEMBER
Finance Committee
Resources Committee
Legislative Council
Special Committee on Banking &
Economic Development

VICE-CHAIR
Community & Regional
Affairs Committee

TO: Senate Finance Committee
FROM: Senator Steve Frank
RE: Senate Bill 176
DATE: March 29, 1989

The work draft committee substitute before you contains four changes that differ from the Senate Resources Committee Substitute. The work draft requires that:

- 1) if the department contracts out for the auction or lottery, they must do so with Alaska Fish and Wildlife Safeguard;
- 2) the department may issue only one permit per year;
- 3) the permit must be for harvest of one bison from the Delta herd; and
- 4) the act is exempted from the state procurement code which would otherwise require the department to follow the competitive bidding process to determine the organization that would conduct the raffle or auction.

One other notable difference is that the work draft provides for specific guidelines for the harvest of a particular big game animal from a designated area, thereby removing the need to expand the Board of Game's authority to allocate a permit or permits for the purposes of this act.

STEVE FRANK
DISTRICT K
SEAT A

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701

While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709
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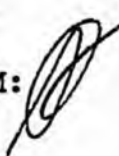
Alaska State Legislature



Senate

MEMBER
Finance Committee
Resources Committee
Legislative Council
Special Committee on Banking &
Economic Development

VICE-CHAIR
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Affairs Committee

TO: Senate Finance Committee
FROM:  Senator Steve Frank
RE: Senate Bill 176
DATE: March 29, 1989

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- 1) if the department contracts out for the auction or lottery, they must do so with Alaska Fish and Wildlife Safeguard;
- 2) the department may issue only one permit per year;
- 3) the permit must be for harvest of one bull from the Delta herd; and
- 4) the act is exempted from the state procurement code which would otherwise require the department to follow the competitive bidding process to determine the organization that would conduct the raffle or auction.

One other notable difference is that the work draft provides for specific guidelines for the harvest of a particular big game animal from a designated area, thereby removing the need to expand the Board of Game's authority to allocate a permit or permits for the purposes of this act.

Updated and replaced by 3/29/89 memo.

STEVE FRANK
DISTRICT K
SEAT A

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701

While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709
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Alaska State Legislature



Senate

MEMBER
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- 1) if the department contracts out for the auction or lottery, they must do so with Alaska Fish and Wildlife Safeguard;
- 2) the department may issue only one permit per year;
- 3) the permit must be for harvest of one bull bison from the Delta herd; and
- 4) the act is exempted from the state procurement code which would otherwise require the department to follow the competitive bidding process to determine the organization that would conduct the raffle or auction.

STEVE FRANK
DISTRICT K
SEAT A

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701

While in Juneau
P.O. Box V
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Alaska State Legislature



Senate

MEMBER
Finance Committee
Resources Committee
Legislative Council
Special Committee on Banking &
Economic Development

VICE-CHAIR
Community & Regional
Affairs Committee

TO: Senate Finance Committee
FROM: Senator Steve Frank
RE: CS for Senate Bill 176

The Resources Committee Substitute for Senate Bill 176 provides a mechanism for the Department of Fish and Game to contract with certain non profit agencies to conduct auctions or lotteries for the purpose of issuing a big game harvest permit. Nearly all of the proceeds above and beyond the cost of administering the auction or lottery is deposited directly into the Fish and Game Fund, thus providing an additional source of revenue for the department's conservation programs.

Under the bill, the Board of Game is given the authority to allocate the permit or permits, if any, for issuance each year. The Board also determined the species of big game for harvest if permits are issued.

The organization that conducts the auction or lottery keeps from the gross proceeds their administrative costs. They are also given the option of retaining up to 10% of the net proceeds. Any proceeds not retained by the organization shall be deposited into the Fish and Game Fund.

I see this as a very worthwhile proposal and, given our current budget situation, I think it is a timely and positive step toward finding new revenue sources for fish and game management and habitat enhancement. I urge your support of CSSB 176.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Wildlife Conservation	BILL NUMBER SB 176	SPONSOR Senator Frank
SHORT TITLE OF BILL An Act relating to the use of big game harvest permits as prizes			
DEPARTMENT POSITION Support with amendments			
PREPARED BY Donald E. McKnight	DATE 3/7/89	COMMISSIONER'S SIGNATURE <i>William W. Willey</i>	DATE 3/8/89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Public Safety	CONSTITUENT GROUPS AFFECTED BY BILL Hunters and other users of wildlife, in particular, hunters who apply for big game drawing permits
ORGANIZATIONAL SUPPORT FOR BILL Alaska Fish and Wildlife Safeguard	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT
Several other states provide big game drawing permits to organizations for fund-raising purposes and other state game departments use the permits themselves for fund-raising purposes. This use of permits decreases the opportunity for members of the public to draw a permit (by reducing the number of permits available) but, when the proceeds are used to conserve publicly-owned wildlife resources, the concept has been found to be acceptable to the public. This bill, as written, provides only limited financial incentive to an (cont)

ANALYSIS OF BILL/PROGRAM EFFECTS
Passage of SB 176 would establish a new law under which the Commissioner of Fish and Game could, subject to appropriate regulations of the Board of Game, annually enter into agreements with nonprofit conservation organizations to issue a big game harvest permit to be sold by lottery, auction, or a similar procedure as a fund-raiser. The nonprofit conservation organization would then conduct the lottery or auction using the hunting permit as the prize, and the organization could recover its administrative costs plus up to 10 percent of the funds obtained. Remaining funds raised by the conservation organization would be returned to the Department of Fish and Game (Commissioner) for purposes specified by the organization.

AMENDMENTS PROPOSED
Line 24. Add "net" in front of "proceeds." This clarifies the proportion of proceeds which may be retained by the organization.
Line 26. Delete "for purposes specified by the qualified organization." The Commissioner must be able to retain flexibility in the budget process. Establishment of funding priorities by an outside organization is inappropriate and counterproductive.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

BILL ANALYSIS
SB 176
Page 2 of 2

BACKGROUND/LEGISLATIVE INTENT

organization to use permits for fund-raising purposes, but it does provide an excellent opportunity for an organization to receive favorable publicity.



ALASKA OUTDOOR COUNCIL, INC.

3780 McGINNIS DR. JUNEAU, AK 99801
(907) 789-3450

March 6, 1989

Senator Steve Frank
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Frank:

This is to advise you that the Alaska Outdoor Council is officially supporting SB 176 relating to the use of big game harvest permits as prizes.

Our Board of Directors met recently and established the AOC position. The Board also advised that they are most concerned that the permits go to primarily conservation organizations and public purposes like Wildlife Safeguard. We also fully support the concept of raffling or auctioning special permits in order to raise badly needed monies for the Fish and Game Fund.

The requirement that the permits be subject to regulations adopted by the Board of Game will provide the safeguards necessary to guarantee public purposes benefits.

We appreciate your interest in this worthwhile endeavor and pledge to give you our full support in gaining passage.

Sincerely,

Ron Somerville
Executive Director

Affiliated with National Rifle Association

- SPONSOR'S BACKGROUND INFORMATION -

ZENITH 3377



**ALASKA FISH & WILDLIFE
SAFEGUARD**

P.O. Box 6188, Annex, Anchorage, Alaska 99502

March 6, 1989

The Honorable Steve Frank
Senator
Box V
Juneau, Alaska 99811

Dear Senator Frank:

The Fairbanks board of Wildlife Safeguard supports Senate Bill 176 with amendments to lines 16, 25, and 26 as shown on the attached copy of page 1 of the bill.

Thank you for your support.

Sincerely,

Brian Jennison
Chairman, Fairbanks Board

Brian Jennison

Enclosure

TAKE AIM ON VIOLATIONS



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A
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ZENITH 3377



**ALASKA FISH & WILDLIFE
SAFEGUARD**

5700 East Tudor Road, Anchorage, Alaska 99507

March 7, 1989

The Honorable Steve Frank
Alaska State Senate
P.O. Box Y
Juneau, Alaska 99811

Dear Senator Frank,

The Southeast Board of Directors for Alaska's Fish and Wildlife Safeguard program wishes to express its support and appreciation for your sponsorship of SB 176. This bill, paving the way for a hunting permit raffle or auction, will help further the wildlife causes in Alaska.

We understand there are several amendments proposed to the bill, and offer our suggestions. Concerning the type of organization the permits may be made available to, we believe it should read "fish and game law enforcement organization" rather than the proposed "fish and game conservation or fish and game law enforcement organization." We believe this will more closely match the permit recipients with the intent of the legislation.

The other amendment concerns the portion of raised funds which are turned over to the Department of Fish and Game. We do not believe the recipient organization should necessarily direct where the funds are to be applied. We trust to the professional determination of the Commissioner and his staff to allocate those funds, and would prefer to see those decisions remain with the Department.

Thank you for your effort on behalf of Alaska's wildlife.

Sincerely,

James B. Leet
Vice Chairman, Southeast Board of Directors
Fish & Wildlife Safeguard

TAKE AIM ON VIOLATIONS

1 IN THE SENATE

BY FRANK

2

SENATE BILL NO. 176

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 the use of big game harvest
7 permits as prizes or premiums in fund-raising activi-
8 ties for fish and game conservation and law enforce-
9 ment purposes conducted by qualified nonprofit orga-
10 nizations."

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

12 * Section 1. AS 16.05 is amended by adding a new section to read:

13 Sec. 16.05.058. BIG GAME HARVEST PERMITS AS PRIZES AND PREMIUMS.

14 (a) The commissioner, subject to regulations adopted by the Board of
15 Game, may enter into annual agreements with qualified organizations
16 established to promote ~~fish and game conservation or~~ fish and game law
17 enforcement to issue a big game harvest permit without charge to an
18 individual determined by lottery, public auction, or other fund-
19 raising procedure conducted by the organization.

20 (b) A qualified organization that enters into an agreement with
21 the commissioner under (a) of this section may retain from the pro-
22 ceeds of the fund-raising activity an amount equal to the administra-
23 tive cost of the fund-raising activity plus an amount not to exceed 10
24 percent of the proceeds. The amount of proceeds not retained by the
25 qualified organization shall be given to the commissioner, under
26 ~~AS 16.05.050 for purposes specified by the qualified organization.~~
of the Department of Fish and Game.

27 (c) The exercise of a privilege conferred by a big game harvest
28 permit issued under this section is subject to regulations relating to
29 the time, place, and manner of taking the species for which the permit

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Big game harvest permits as prizes
Sponsor: Senator Frank
Requestor: Senate Resources

Agency Affected: Public Safety
BRU: Fish and Wildlife Protection
Component: _____

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

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

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Since this bill does not create any added impact on the resource or additional resource users in the field, we do not anticipate any additional expenditure of funds.

Prepared by: Lt. William Valentine
Division: Fish and Wildlife Protection

Phone: 789-2161
Date: 3/8/89

Approved by Commissioner: Arthur English
Agency: Department of Public Safety

Date: 3/8/89

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: _____
 Title: An Act Relating to the Use of Big Game Harvest Permits as Prizes for Fundraising. BRU: Wildlife Conservation
 Sponsor: Senator Frank Components: _____
 Requestor: _____

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						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE	0	\$25.0	\$30.0	\$35.0	\$35.0	\$35.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) Passage of SB 176 would result in no additional expenditures by the department. There is a potential, however, for adding considerable funds to the Fish and Game Fund for subsequent expenditures by the Division of Wildlife Conservation.

Prepared by: Donald E. McKnight Phone: 465-4190
 Division: Wildlife Conservation Date: March 6, 1989
 Approved by Commissioner: [Signature] Date: 3/8/89
 Agency: Fish and Game

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

FISCAL NOTE

REQUEST:

Revision Date: 3/20/89 Agency Affected: Fish and Game
 Title: An Act Relating to the Use or Big Game Harvest Permits as Prizes for Fundraising BRU: Wildlife Conservation
 Sponsor: Senator Frank Components: _____
 Requestor: Senate Resources Committee

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						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE	0	25.0	30.0	35.0	35.0	35.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Passage of CSSB 176 would result in no additional expenditures by the department. There is a potential, however, for adding considerable revenue to the Fish and Game Fund for subsequent appropriation to conservation programs.

Prepared by: Donald E. McKnight Phone: 465-4100
 Division: Wildlife Conservation Date: 3/21/89

Approved by Commissioner: *Don Williams* Date: 3-21-89
 Agency: Fish and Game

Distribution (by preparer):

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