

**H B**

**124**

DATE: 4/27/90

FURTHER: Finance

DATE TURNED INTO OFFICE: 5-3-90

Resources Committee considered CSHB 124 (Rules) am

Sale of merchandise by Dept of Fish/Game, sport fishing, trapping, and hunting licenses, big game tags, personal use salmon dip net fishing permits, fur dealer, taxidermy, aquatic farming, and game farming licenses, and duplicate licenses and tags; definition of resident; use of revenue from sport fishing, trapping, and hunting licenses and tags; involuntary transfer of entry permits; efd.

and recommended:

- replace with 5 CS CSHB 124 (Res)
- or adopt CS
- attached amendment(s)
- Resources letter of intent adopted

- same title
- new title
- technical title change (HB only)

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

- fiscal note(s) P+G Dept/Date: \_\_\_\_\_
- zero fiscal note(s) \_\_\_\_\_
- appropriation-no fiscal note

APPROVES PREVIOUS:

- fiscal note(s) \_\_\_\_\_ Dept/Date: \_\_\_\_\_
- zero fiscal note(s) \_\_\_\_\_
- Governor's bill w/fiscal note

SIGNING DO PASS:

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

OTHER RECOMMENDATIONS:

[Signature] No Rec

[Signature] NO REC

[Signature] No Rec

[Signature] No Rec

[Signature] NO REC

[Signature]  
Chair: Signature and Recommendation

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: "An Act relating to sport fishing  
 and hunting licenses. . ."  
 Sponsor: Rules  
 Requestor: Governor

Agency Affected: Fish and Game  
 BRU: Wildlife Conservation,  
 Sport Fish, Administration  
 Components: \_\_\_\_\_

**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>CAPITAL</b>						
<b>REVENUE</b>	343.1	2236.2	2240.0	2240.0	2240.0	2240.0

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER Fish & Game	343.1	2236.2	2240.0	2240.0	2240.0	2240.0
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No FY 90 impact.

Prepared by: Beverly Reaume  
 Division: Administration

Phone: 465-4120  
 Date: 5/2/90

Approved by Commissioner: *William W. Welby*  
 Agency: \_\_\_\_\_

Date: 5/2/90

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

CSHB124  
 \* ASSUMPTIONS FOR LICENSE FEE FISCAL NOTE

5/2/90

RESIDENT	1989 ACTUALS %JAN-JUN		ANNUAL VALUE AT CURRENT FEE	ANNUAL VALUE AT INCREASED FEE	FY91 INCREASE (PARTIAL YEAR)	FY92 INCREASE
HUNT	23189	42.1%	278268	278268	0	0
HUNT/TRAP	1516	62.4%	33352	33352	0	0
TRAP	1032	52.6%	10320	10320	0	0
SF/HUNT/TRAP	6363	52.6%	203616	203616	0	0
SF/HUNT	43548	42.0%	958056	958056	0	0
FISH	115332	41.7%	1153320	1153320	0	0
FISH FARM	1	0	200	200	0	0
FUR DEALER	45	48.6%	4500	4500	0	0
TAXIDERMY	51	75.0%	7650	7650	0	0
GAME BIRD FARM	4	100.0%	80	80	0	0
DIP NET FISHING				155000	65100	155000
<b>NONRESIDENT</b>						
HUNT	8543	15.1%	512580	696155	27742	183575
HUNT/TRAP	35	15.1%	7000	10500	529	3500
FUR DEALER	1	0.0%	400	500	0	100
TAXIDERMY	4	66.7%	1600	2000	267	400
ALIEN HUNT	-	15.1%	-	90000	13590	90000
ALIEN TAGS	-	15.1%	-	162100	24477	162100
TAGS	-	14.4%	2936580	3490900	79822	554320
FISH	23338	23.7%	840168	1166900	77337	326732
FISH 14 DAY	63760	7.8%	1275200	1912800	49458	637600
FISH 3 DAY	64143	9.2%	641430	721609	7605	80179
FISH 1 DAY	0	9.5%	0	160358	15209	160358
<b>TOTALS</b>			<b>8864320</b>	<b>11218183</b>	<b>361135</b>	<b>2353863</b>
					(18056)	(117693)
					139105	944295
					203973	1291875

\* LOW INCOME LICENSES AND DUPLICATES WERE LEFT OUT OF THESE CALCULATIONS  
 ASSUME THERE WILL BE 15500 DIP NET LICENSES SOLD

Original sponsor(s): Rules/Governor

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 124 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the sale of merchandise by the  
7 Department of Fish and Game, to sport fishing, trap-  
8 ping, and hunting licenses, to big game tags, to  
9 personal use salmon dip net fishing permits, to fur  
10 dealer, taxidermy, aquatic farming, and game farming  
11 licenses, and to duplicate licenses and tags; relat-  
12 ing to the definition of resident in fish and game  
13 laws; relating to use of revenue from sport fishing,  
14 trapping, and hunting licenses and tags; relating to  
15 the involuntary transfer of entry permits; and  
16 providing for an effective date."

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

18 \* Section 1. AS 16.05.050 is amended by adding a new paragraph to read:

19 (18) to authorize the production and sale of merchandise  
20 bearing designs, labels, or words associating the merchandise with the  
21 department; the merchandise may include posters, buttons, clothing,  
22 calendars, and glassware.

23 \* Sec. 2. AS 16.05.053 is amended by adding a new subsection to read:

24 (b) The commissioner of administration shall separately account  
25 for money collected under AS 16.05.050(18) that the department depos-  
26 its in the general fund. The annual estimated balance in the account  
27 may be appropriated by the legislature to the fish and game fund.

28 \* Sec. 3. AS 16.05.130 is amended by adding a new subsection to read:

29 (d) Revenue from the sale of general hunting, trapping, and

1 fishing licenses and tags together with the federal matching funds  
2 from Pittman - Robertson, Dingell - Johnson/Wallop - Breaux programs  
3 shall be allocated by the department to programs intended to directly  
4 benefit license purchasers of general hunting, trapping, and fishing  
5 licenses. The department shall provide an annual report by project of  
6 expenditures from the fish and game fund.

7 \* Sec. 4. AS 16.05.340(a)(7) is amended to read:

8 (7) Nonresident special sport fishing license -- valid for  
9 the period inscribed on the license

10 (A) For 14-day license.....\$30 [\$20]

11 (B) For three-day license .....15

12 (C) For one day license.....10

13 \* Sec. 5. AS 16.05.340(a)(8) is amended to read:

14 (8) Nonresident sport fishing license.....50 [36]

15 \* Sec. 6. AS 16.05.340(a)(9) is amended to read:

16 (9) Nonresident hunting license.....85 [60]

17 \* Sec. 7. AS 16.05.340(a)(10) is amended to read:

18 (10) Nonresident hunting and sport fishing  
19 license.....135 [96]

20 A nonresident may not take a big game animal without previously pur-  
21 chasing a numbered, nontransferable, appropriate tag, issued under  
22 (15) of this subsection. The tag must be affixed to the animal imme-  
23 diately upon capture and must remain affixed until the animal is  
24 prepared for storage, consumed, or exported. A tag issued but not  
25 used for an animal may be used to satisfy the tagging requirement for  
26 an animal of any other species for which the tag fee is of equal or  
27 less value.

28 \* Sec. 8. AS 16.05.340(a)(11) is amended to read:

29 (11) Nonresident hunting and trapping license....\$250 [\$200]

1 \* Sec. 9. AS 16.05.340(a)(12) is amended to read:

2 (12) Fur dealers:

3 (A) Resident fur dealer biennial license.....150 [100]

4 (B) Nonresident fur dealer biennial license..500 [400]

5 \* Sec. 10. AS 16.05.340(a)(13) is amended to read:

6 (13) Taxidermists:

7 (A) Resident taxidermy biennial license.....200 [150]

8 (B) Nonresident taxidermy biennial license...500 [400]

9 \* Sec. 11. AS 16.05.340(a)(14) is amended to read:

10 (14) Aquatic [FISH] farming triennial [BIENNIAL]

11 license.....400 [200]

12 \* Sec. 12. AS 16.05.340(a)(15) is amended to read:

13 (15) Nonresident big game tags:

14 (A) Bear, black, each.....225 [200]

15 (B) [REPEALED.]

16 (C)] Bear, brown or grizzly, each.....500 [350]

17 (D) BEAR, POLAR, EACH.....500]

18 (C) [(E)] Bison, each.....450 [350]

19 (D) [(F)] Caribou, each.....325 [300]

20 (E) [(G)] Deer, each.....150 [135]

21 (F) [(H)] Elk, each.....300 [250]

22 (G) [(I)] Goat, each.....300 [250]

23 (H) [(J)] Moose, each.....400 [300]

24 (I) [(K)] Sheep, each.....425 [400]

25 (L) WALRUS, EACH .....500]

26 (J) [(M)] Wolf, each.....175 [150]

27 (K) [(N)] Wolverine, each.....175 [150]

28 (L) [(O)] Musk oxen, each.....1,100

29 \* Sec. 13. AS 16.05.340(a)(18) is amended to read:

1 (18) Game farming:

2 (A) Game mammal or game reptile farming biennial  
3 license.....\$250 [200]

4 (B) Game bird farming biennial license.....50 [20]

5 \* Sec. 14. AS 16.05.340(a) is amended by adding new paragraphs to read:

6 (19) Nonresident small game hunting license.....20

7 (20) Nonresident alien hunting license.....300

8 A nonresident alien may not take a big game animal without previously  
9 purchasing a numbered, nontransferable, appropriate tag, issued under  
10 (21) of this subsection. The tag must be affixed to the animal immed-  
11 iately upon capture and must remain affixed until the animal is pre-  
12 pared for storage, consumed, or exported. A tag issued but not used  
13 for an animal may be used to satisfy the tagging requirement for an  
14 animal of any other species for which the tag fee is of equal or less  
15 value.

16 (21) Nonresident alien big game tags:

17 (A) Bear, black, each.....\$300

18 (B) Bear, brown or grizzly, each.....650

19 (C) Bison, each.....650

20 (D) Caribou, each.....425

21 (E) Deer, each.....200

22 (F) Elk, each.....400

23 (G) Goat, each.....400

24 (H) Moose, each.....500

25 (I) Musk oxen, each.....1,500

26 (J) Sheep, each.....550

27 (K) Wolf, each.....250

28 (L) Wolverine, each.....250

29 (22) Chitina personal use salmon dip net fishing permit

.....10  
\* Sec. 15. AS 16.05.340(c) is amended to read:

(c) The commissioner may issue a duplicate license or a duplicate tag as a replacement for a license or tag issued under (a) of this section. A fee of \$5 [\$2] shall be charged for each duplicate license or tag; however, a fee of \$2 shall be charged for each duplicate of reduced fee license issued to an indigent or low income person under (a)(6) of this section. The [AND THE] duplicate license or tag may [SHALL] not be issued unless the commissioner or a delegate is satisfied that the original has been lost or destroyed. [THIS SUBSECTION DOES NOT APPLY TO A 25-CENT LICENSE ISSUED UNDER (a)(6) OF THIS SECTION.]

\* Sec. 16. AS 16.05.940(25) is amended to read:

(25) "resident" means a person who for the preceding 12 consecutive months has maintained a permanent place of abode in the state and who has continually maintained a voting residence in the state; and in the case of a partnership, association, joint stock company, trust, or corporation, "resident" means one that has its main office or headquarters in the state; however, a member of the military service who has been stationed in the state for the preceding 12 consecutive months is a resident for the purposes of this paragraph, and the dependent of a resident member of the military service, who has been living in the state for the preceding year is a resident for the purposes of this paragraph; [,] and a person who is an alien but who for one year has maintained a permanent place of abode in the state is a resident for the purposes of this paragraph;

\* Sec. 17. AS 16.43.170(a) is amended to read:

(a) Except as provided in AS 16.10.333 - 16.10.338 and in AS 44.81.230 - 44.81.250, entry permits and interim-use permits are

1 transferable only through the commission as provided in this section  
2 and AS 16.43.180 and under regulations adopted by the commission. An  
3 involuntary transfer of an entry permit in a manner inconsistent with  
4 this chapter and the regulations of the commission is void.

5 \* Sec. 18. Section 17 of this Act takes effect immediately under  
6 AS 01.10.070(c).

7 \* Sec. 19. Except for sec. 17 of this Act, this Act takes effect  
8 January 1, 1991.

# STATE OF ALASKA THE LEGISLATURE

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

## LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 3, 1990

SUBJECT: Senate CS CSHB 124 (Resources)

TO: Senator Bettye Fahrenkamp, Chair  
Senate Resources Committee

FROM: George Utermohle *GU*  
Legislative Counsel

The Senate Resources Committee has adopted and passed out a committee substitute for CSHB 124 (Resources).

One of the amendments made by the committee was to change the fee for a replacement license for the reduced fee resident hunting, trapping, and sport fishing license that is issued to indigent and low income persons. The evident purpose of the committee's amendment was to adjust the fee for the replacement license to conform to changes made to the reduced fee license for indigent and low income persons by SB 30, which is currently before the Governor. The committee's amendment made a specific reference to the \$5 license fee that would be charged for the reduced fee license if SB 30 is signed into law, however until SB 30 does become law HB 124 should not contain a reference to SB 30 because there is a chance that the governor may veto SB 30.

In order to keep the \$2 replacement fee for the reduced fee license but avoid a specific reference to the \$5 license which may not exist if SB 30 is vetoed, I have replaced the reference to the \$5 license with the phrase "reduced fee license issued to an indigent or low income person". This language will allow the replacement fee to take effect without relying on the passage of SB 30. Even if SB 30 is not signed into law this language would result in the replacement fee for the reduced fee license being \$2 and not the \$5 that would otherwise be imposed under AS 16.05.340(c) as contained in HB 124.

Senator Bettye Fahrenkamp

Page 2

May 3, 1990

Also, I have repealed the last sentence of AS 16.05.340(c) (Sec. 15) in order to conform to the change in the replacement fee for the reduced fee license made by the committee's amendment. (See page 5, lines 10 - 12) Without this change AS 16.05.340(c) (Sec. 15) would contain two contradictory provisions: (1) that the replacement fee for the reduced fee license is \$2 and (2) that this subsection does not apply to the reduced fee license. It is the evident intent of the committee to establish a replacement fee for the reduced fee license.

GU:gc  
G14/061

Enclosure

4

"A"

A

PROPOSAL TO AMEND CS HB 124(Rls)am  
To leave current resident sport fishing and hunting license  
fees in place

Explanation of Amendments:

Delete Sections 4, 5, 6, 7, 8, 9, (Renumber other sections  
accordingly, and correct reference to preceding Section.)

This proposal would delete sections 4 through 9 of CS HB  
124(Rls am), all of which propose increases in sport fishing  
and hunting license fees for residents. Current sport  
fishing and hunting license fees for residents would remain in  
effect.

Impact on Revenue:

Increase in revenue:	FY 91	FY 92	FY 93	→
If this proposed amendment is adopted	343.1	2236.2	2236.0	→
Current version CSHB 124 (Rls)am	1081.1	3914.7	3915.0	→

*Handwritten initials*

SENATE AMENDMENT

By Eliason

To: \_\_\_\_\_ SENATE BILL No. \_\_\_\_\_

To: Amend \_\_\_\_\_ HOUSE BILL No. CSHB 124 (R1s)am

PAGE: 2                      LINE: 7 - 29

Delete Sections 4, 5, 6, 7, 8, 9

Page: 3                      Line: 1

Delete line 1 and renumber all subsequent Sections accordingly

Page: 6                      Line: 26, 28

Delete "Section 23" and insert "Section 17" in its place

AMENDMENT

*accepted*

OFFERED BY SENATOR FISCHER

TO: S: CSHB 124 (RULES) AM

PAGE 6, LINE 1:

DELETE "and the"

INSERT "however, a fee of \$2 shall be charged for each duplicate of a \$5 license issued under (a)(6) of this section.

The [and the]"



File HB 124  
- Res -

# ALASKA OUTDOOR COUNCIL, INC.

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

## POSITION STATEMENT ADF&G LICENSE INCREASES

HB 124

March 21, 1989

The Alaska Outdoor Council has adopted a final position on HB 124 dealing with proposed Alaska Department of Fish and Game license increases.

This issue has been before the legislature for the past two years. During that time there has been considerable communications between Alaskan sportsmen and outdoor user organizations and the Alaska Department of Fish and Game. Numerous concerns expressed by the Council were addressed by the Department before the beginning of the legislative session.

The Alaska Outdoor Council is appreciative of the Department's efforts to improve relations with the Outdoor users. We are, however, still concerned about alternative funding sources for the Department, long range planning, neglected active management programs in the Interior, prioritizing expenditures and the identification of expenditures to non-consumptive user programs. We fully intend to continue working with the Department on these issues.

The membership of the Alaska Outdoor Council recognizes that the Alaska Department of Fish and Game needs additional funds for the Divisions of Wildlife Conservation and Sport Fish. We are concerned that these increases, however, benefit the users carrying a majority of the fish and wildlife management financial burden in the State.

The Alaska Outdoor Council can support HB 124 if three basic modifications are made:

1. Maintain the non-resident alien fees at the same level as the non-resident fees. The Council is concerned that the proposed non-resident alien fees will price Alaska out of the market which will result in less fees from non-residents rather than larger total fees.

2. Amend 16.05.340 (a)(6) to delete:

However, the fee is 25 cents for an applicant who is the head of a family or a dependent member of that family, or who is solely self supporting, upon proof

presented by the applicant that the applicant

(A) is obtaining or has obtained assistance during the preceding six months under any state or federal welfare program to aid the indigent, or

(B) has an annual family gross income of less than \$5,600 for the year preceding application.

3. Amend 16.05.340 to add new section (f):

(1) Alaska Fish and Game Funds and Federal matching funds from the Pittman-Robertson, Dingell-Johnson/Wallop-Breaux programs cannot be used to finance subsistence uses of fish and wildlife nor for the management of fish and wildlife for subsistence purposes.

(2) If a State agency knowingly violates the provisions in (1), the fish and game license structure in AS 16.05.340 will revert to that which existed in 1988.

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### OFFICE OF THE COMMISSIONER

*file HB 124 resources files*  
STEVE COWPER, GOVERNOR

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

March 1, 1989

Dear Fellow Alaskan:

For the past year, the Department of Fish and Game has sought to provide you information and solicit your comments and ideas regarding the department's need to obtain additional funding sources. You will recall earlier letters discussing one attempt to increase the department's funding, increasing the fees charged for licenses to fish and hunt. This letter is our latest effort to do all we can to keep you up-to-date on this proposal.

Representatives of ADF&G have met on several occasions with interested outdoor organizations and individuals in an attempt to draft legislation that is fair and will help the department meet its funding needs. As a result of that work, Governor Cowper introduced a bill (HB 124) which will increase funding to the department, specifically to the Divisions of Wildlife Conservation and Sport Fish. This bill is the result of many hours of consultation with fishing and hunting groups around the state and with outdoor groups whose primary interest lies in areas other than the consumptive use of fish and game resources. When you have an opportunity to read HB 124, you will see that many concerns which had been expressed in the past regarding a license increase proposal have been addressed. Most of these changes were as a result of direct discussions with members of various outdoor organizations and conservation groups. A copy of HB 124 is enclosed for your reference.

The need for additional funding to the Division of Wildlife Conservation (formerly the Division of Game) continues to be of major concern. Essential programs, ranging from collecting and analyzing biological information necessary to maintain big game populations to providing services necessary for the public to fully enjoy and utilize wildlife, have been sharply curtailed by severe budget reductions which occurred in FY 86.

Although federal funding available to the Division of Sport Fish has increased, it does not approach the amount needed to adequately manage and protect the resources under present harvest and public participation levels. There has been a steady increase in recreational fishing pressure over the years, despite recent decreases in the state's population. In addition, there are projects contained in each division's budget which, for the most part, can only be operated using funding provided through

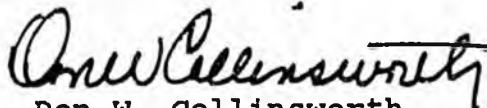
March 1, 1989

the sale of hunting and fishing licenses. It is conceivable, although it is not yet a major threat, that the point might be reached at which the Division of Sport Fish could not provide adequate matching funds to obtain federal dollars. We are not yet at that point and it could be we would never find ourselves in that situation; nevertheless, it is a possibility.

In addition to the fee increases proposed in HB 124, the department continues to explore other funding options. We have gathered a great deal of information about fish and wildlife trust funds, special permit auctions, and other special opportunities which would allow nonconsumptive users of our fish and wildlife resources to participate more in funding of important management and conservation programs. Many organizations which represent nonconsumptive users have long expressed their sincere interest in contributing to the department's programs. We will continue to try and develop mechanisms whereby nonconsumptive users can provide additional support to departmental programs.

In summary, ADF&G finds itself in the same situation as other similar agencies across the United States: increasing demands from the public in the face of declining financial resources. The license fee increases we are proposing will be the first in Alaska in over a decade. It has been with reluctance that we have proposed these increases, but it is our firm belief that we must do so in order to continue to provide all Alaskans the opportunity to enjoy our abundant natural resources. I earnestly solicit your support for HB 124 and, as always, my staff and I stand ready to answer your questions about this issue or any other relating to this department.

Sincerely,



Don W. Collinsworth  
Commissioner

Enclosure

1 IN THE HOUSE BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 124

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 sport fishing and hunting li-  
7 censes and to big game tags; and providing for an  
8 effective date."

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

10 \* Section 1. AS 16.05.340(a)(1) is amended to read:

11 (1) Resident sport fishing license.....\$15 [\$10]

12 However, the fee is 25 cents for a resident who is blind.

13 \* Sec. 2. AS 16.05.340(a)(2) is amended to read:

14 (2) Resident

15 (A) small game hunting license.....15 [12]

16 (B) hunting license for both big and small game..25

17 "Big game" means those species listed in (a)(15) of this section.

18 \* Sec. 3. AS 16.05.340(a)(3) is amended to read:

19 (3) Resident hunting and trapping license.....35 [22]

20 \* Sec. 4. AS 16.05.340(a)(5) is amended to read:

21 (5) Resident hunting and sport fishing license...40 [22]

22 \* Sec. 5. AS 16.05.340(a)(6) is amended to read:

23 (6) Resident hunting, trapping, and sport

24 fishing license.....50 [32]

25 However, the fee is 25 cents for an applicant who is the head of a  
26 family or a dependent member of that family, or who is solely self-  
27 supporting, upon proof presented by the applicant that the applicant

28 (A) is obtaining or has obtained assistance during the  
29 preceding six months under any state or federal welfare program

1           to aid the indigent, or  
2                       (B) has an annual family gross income of less than  
3           \$5,600 for the year preceding application.

4 \* Sec. 6. AS 16.05.340(a)(7) is amended to read:

5           (7) Nonresident special sport fishing license -- valid for  
6           the period inscribed on the license

7                       (A) For 14-day license.....\$30 [\$20]

8                       (B) For three-day license .....15 [10]

9 \* Sec. 7. AS 16.05.340(a)(8) is amended to read:

10           (8) Nonresident sport fishing license.....50 [36]

11 \* Sec. 8. AS 16.05.340(a)(9) is amended to read:

12           (9) Nonresident hunting license.....85 [60]

13 \* Sec. 9. AS 16.05.340(a)(10) is amended to read:

14           (10) Nonresident hunting and sport fishing  
15           license.....135 [96]

16 A nonresident may not take a big game animal without previously pur-  
17 chasing a numbered, nontransferable, appropriate tag, issued under  
18 (15) of this subsection. The tag must be affixed to the animal imme-  
19 diately upon capture and must remain affixed until the animal is  
20 prepared for storage, consumed, or exported. A tag issued but not  
21 used for an animal may be used to satisfy the tagging requirement for  
22 an animal of any other species for which the tag fee is of equal or  
23 less value.

24 \* Sec. 10. AS 16.05.340(a)(15) is amended to read:

25           (15) Nonresident big game tags:

26                       (A) Bear, black, each.....225 [200]

27                       (B) (Repealed, sec. 1, ch. 268, SLA 1976.)

28                       (C) Bear, brown or grizzly, each.....425 [350]

29                       (D) Bear, polar, each.....2,500 [500]

1	(E) Bison, each.....	<u>450</u>	[350]
2	(F) Caribou, each.....	<u>325</u>	[300]
3	(G) Deer, each.....	<u>150</u>	[135]
4	(H) Elk, each.....	<u>300</u>	[250]
5	(I) Goat, each.....	<u>300</u>	[250]
6	(J) Moose, each.....	<u>400</u>	[300]
7	(K) Sheep, each.....	<u>425</u>	[400]
8	(L) Walrus, each.....	<u>1,500</u>	[500]
9	(M) Wolf, each.....	<u>175</u>	[150]
10	(N) Wolverine, each.....	<u>175</u>	[150]
11	(O) Musk oxen, each.....	1,100	

\* Sec. 11. AS 16.05.340(a) is amended by adding new paragraphs to read:

- |    |  |     |
|----|--|-----|
| 13 | (19) Nonresident small game hunting license..... | 20  |
| 14 | (20) Nonresident alien hunting license.....      | 300 |

15 A nonresident alien may not take a big game animal without previously  
 16 purchasing a numbered, nontransferable, appropriate tag, issued under  
 17 (21) of this subsection. The tag must be affixed to the animal immedi-  
 18 ately upon capture and must remain affixed until the animal is pre-  
 19 pared for storage, consumed, or exported. A tag issued but not used  
 20 for an animal may be used to satisfy the tagging requirement for an  
 21 animal of any other species for which the tag fee is of equal or less  
 22 value.

- |    |                                       |       |
|----|---------------------------------------|-------|
| 23 | (21) Nonresident alien big game tags: |       |
| 24 | (A) Bear, black, each.....            | 300   |
| 25 | (B) Bear, brown or grizzly, each..... | 600   |
| 26 | (C) Bear, polar.....                  | 3,000 |
| 27 | (D) Bison, each.....                  | 650   |
| 28 | (E) Caribou, each.....                | 425   |
| 29 | (F) Deer, each.....                   | 200   |

1	(G) Elk, each.....	400
2	(H) Goat, each.....	400
3	(I) Moose, each.....	500
4	(J) Musk oxen, each.....	1,500
5	(K) Sheep, each.....	550
6	(L) Walrus.....	2,000
7	(M) Wolf, each.....	250
8	(N) Wolverine, each.....	250

9 \* Sec. 12. This Act takes effect January 1, 1990.

# STATE OF ALASKA

**DEPARTMENT OF FISH AND GAME**

*DIVISION OF BOARDS*

*file HB124*  
STEVE COWPER, GOVERNOR

P.O. BOX 3-2000  
JUNEAU, ALASKA 99802-2000  
PHONE: (907) 465-4110


March 7, 1989

The Honorable Tim Kelly  
President  
Alaska State Senate  
Pouch V  
Juneau, AK 99811

Dear Mr. President:

The Board of Game discussed HB 124 at its current meeting in Anchorage. The Board unanimously supports this legislation with the intent that funds from the sale of licenses be used to increase current Department of Fish and Game funding levels.

Sincerely,



Heinrich Springer  
Chairman  
Board of Game

cc: All Legislators

BILL: HB 124

NAME: SCS CSNB 124(RES) AM S

TITLE: "An Act relating to the sale of merchandise by the Department of Fish and Game, to sport fishing, trapping, and hunting licenses, to big game tags, to personal use salmon dip net fishing permits, to fur dealer, taxidermy, aquatic farming, and game farming licenses, and to duplicate licenses and tags; relating to the definition of resident in fish and game laws; relating to use of revenue from sport fishing, trapping, and hunting licenses and tags; relating to < REFER TO BILL TEXT (PF5) FOR COMPLETE TITLE >

PRIME SPONSOR: RULES BY REQUEST OF THE GOVERNOR

FUNDING : \$000 GENERAL(FNOTE) \$1,013,000 OTHER(FNOTE)

CURRENT STATUS: (H) CONCURRD (S) AM STATUS DATE: 05/08/90

Selection=> PF1 PF2 PF3 PF4 PF5 PF6 PF7 PF8 PF9 PF10 PF11 PF12
HELP SUBJ EXIT MENU TEXT PRINT BWD FWD FIRST LAST QUIT
BASIS Journal Text

05/03/90 SENATE JOURNAL PAGE 3855

\_HB 124\_

The Resources Committee considered CS FOR HOUSE BILL NO. 124 (Rules) an (An Act relating to The sale of merchandise by The Department of Fish and Game, to sport fishing, trapping, and hunting licenses, to big game tags, to personal use salmon dip net fishing permits, to fur dealer, taxidermy, aquatic farming, and game farming licenses, and to duplicate licenses and tags; relating to the definition of resident in fish and game laws; relating to use of revenue from sport fishing, trapping, and hunting licenses and tags; relating to the involuntary transfer of entry permits; and providing for an effective date) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 124 (Resources)

Senator Fahrenkamp, Chair, and Senator Eliason signed "do pass." Senators Kerttula, Frank, Zharoff, Sturgulewski and

Selection=> PF1 PF2 PF3 PF4 PF5 PF6 PF7 PF8 PF9 PF10 PF11 PF12
HELP EXIT MENU PRINT BWD FWD FIRST LAST QUIT
BASIS Journal Text

05/03/90 SENATE JOURNAL PAGE 3855

Halford signed "no recommendation." The committee further attached the following Letter of Intent:

05/03/90 SENATE JOURNAL PAGE 3856

3856 May 3, 1990

\_HB 124 cont'd\_

Letter of Intent

For

Senate CS for CS for House Bill No. 124 (Resources)

It is the intent of the legislature to amend AS

Selection=> PF1 PF2 PF3 PF4 PF5 PF6 PF7 PF8 PF9 PF10 PF11 PF12
HELP EXIT MENU PRINT BWD FWD FIRST LAST QUIT

go0379hF-  
Utermohle  
4/28/90

Original sponsor(s): Rules/Governor

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 124 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the sale of merchandise by the  
7 Department of Fish and Game, to sport fishing, trap-  
8 ping, and hunting licenses, to big game tags, to  
9 personal use salmon dip net fishing permits, to fur  
10 dealer, taxidermy, aquatic farming, and game farming  
11 licenses, and to duplicate licenses and tags; relat-  
12 ing to the definition of resident in fish and game  
13 laws; relating to use of revenue from sport fishing,  
14 trapping, and hunting licenses and tags; relating to  
15 the involuntary transfer of entry permits; and pro-  
16 viding for an effective date."

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

18 \* Section 1. AS 16.05.050 is amended by adding a new paragraph to read:

19 (18) to authorize the production and sale of merchandise  
20 bearing designs, labels, or words associating the merchandise with the  
21 department; the merchandise may include posters, buttons, clothing,  
22 calendars, and glassware.

23 \* Sec. 2. AS 16.05.053 is amended by adding a new subsection to read:

24 (b) The commissioner of administration shall separately account  
25 for money collected under AS 16.05.050(18) that the department depos-  
26 its in the general fund. The annual estimated balance in the account  
27 may be appropriated by the legislature to the fish and game fund.

28 \* Sec. 3. AS 16.05.130 is amended by adding new subsections to read:

29 (d) Revenue from the sale of hunting, trapping, and fishing

1 licenses and tags together with the federal matching funds from the  
 2 Pittman - Robertson and Dingell - Johnson/Wallop - Breaux programs  
 3 shall be allocated by the department to programs that directly benefit  
 4 purchasers of hunting, trapping, and fishing licenses.

5 (e) The department shall prepare an annual report by project of  
 6 expenditures from the fish and game fund. Copies of the report shall  
 7 be provided to the legislature and the public.

8 \* Sec. 4. AS 16.05.340(a)(1) is amended to read:

9 (1) Resident sport fishing license.....\$15 [\$10]

10 \* Sec. 5. AS 16.05.340(a)(2) is amended to read:

11 (2) Resident

12 (A) small game hunting license.....15 [12]

13 (B) hunting license for both big and small game....25

14 "Big game" means those species listed in (a)(15) of this section.

15 \* Sec. 6. AS 16.05.340(a)(3) is amended to read:

16 (3) Resident hunting and trapping license.....40 [22]

17 \* Sec. 7. AS 16.05.340(a)(4) is amended to read:

18 (4) Resident trapping license.....15 [10]

19 \* Sec. 8. AS 16.05.340(a)(5) is amended to read:

20 (5) Resident hunting and sport fishing license.....40 [22]

21 \* Sec. 9. AS 16.05.340(a)(6) is amended to read:

22 (6) Resident hunting, trapping, and sport fishing license

23 ..... 55 [32]

24 However, the fee is 25 cents for an applicant who is the head of a  
 25 family or a dependent member of that family, or who is solely self-  
 26 supporting, upon proof presented by the applicant that the applicant

27 (A) is obtaining or has obtained assistance during the  
 28 preceding six months under any state or federal welfare program  
 29 to aid the indigent, or

(B) has an annual family gross income of less than \$5,600 for the year preceding application.

\* Sec. 10. AS 16.05.340(a)(7) is amended to read:

(7) Nonresident special sport fishing license -- valid for the period inscribed on the license

- (A) For 14-day license.....\$30 [\$20]
- (B) For three-day license .....15
- (C) For one-day license.....10

\* Sec. 11. AS 16.05.340(a)(8) is amended to read:

(8) Nonresident sport fishing license.....50 [36]

\* Sec. 12. AS 16.05.340(a)(9) is amended to read:

(9) Nonresident hunting license.....85 [60]

\* Sec. 13. AS 16.05.340(a)(10) is amended to read:

(10) Nonresident hunting and sport fishing license.....135 [96]

A nonresident may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued under (15) of this subsection. The tag must be affixed to the animal immediately upon capture and must remain affixed until the animal is prepared for storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy the tagging requirement for an animal of any other species for which the tag fee is of equal or less value.

\* Sec. 14. AS 16.05.340(a)(11) is amended to read:

(11) Nonresident hunting and trapping license....\$250 [\$200]

\* Sec. 15. AS 16.05.340(a)(12) is amended to read:

(12) Fur dealers:

- (A) Resident fur dealer biennial license.....150 [100]
- (B) Nonresident fur dealer biennial license..500 [400]

1 \* Sec. 16. AS 16.05.340(a)(13) is amended to read:

2 (13) Taxidermists:

3 (A) Resident taxidermy biennial license.....200 [150]

4 (B) Nonresident taxidermy biennial license...500 [400]

5 \* Sec. 17. AS 16.05.340(a)(14) is amended to read:

6 (14) Aquatic [FISH] farming triennial [BIENNIAL]

7 license.....400 [200]

8 \* Sec. 18. AS 16.05.340(a)(15) is amended to read:

9 (15) Nonresident big game tags:

10 (A) Bear, black, each.....225 [200]

11 (B) [REPEALED.]

12 (C)] Bear, brown or grizzly, each.....500 [350]

13 (D) BEAR, POLAR, EACH.....500]

14 (C) [(E)] Bison, each.....450 [350]

15 (D) [(F)] Caribou, each.....325 [300]

16 (E) [(G)] Deer, each.....150 [135]

17 (F) [(H)] Elk, each.....300 [250]

18 (G) [(I)] Goat, each.....300 [250]

19 (H) [(J)] Moose, each.....400 [300]

20 (I) [(K)] Sheep, each.....425 [400]

21 (L) WALRUS, EACH .....500]

22 (J) [(M)] Wolf, each.....175 [150]

23 (K) [(N)] Wolverine, each.....175 [150]

24 (L) [(O)] Musk oxen, each.....1,100

25 \* Sec. 19. AS 16.05.340(a)(18) is amended to read:

26 (18) Game farming:

27 (A) Game mammal or game reptile farming biennial  
28 license.....\$250 [200]

29 (B) Game bird farming biennial license.....50 [20]

\* Sec. 20. AS 16.05.340(a) is amended by adding new paragraphs to read:

- (19) Nonresident small game hunting license.....20
- (20) Nonresident alien hunting license.....300

A nonresident alien may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued under (21) of this subsection. The tag must be affixed to the animal immediately upon capture and must remain affixed until the animal is prepared for storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy the tagging requirement for an animal of any other species for which the tag fee is of equal or less value.

(21) Nonresident alien big game tags:

- (A) Bear, black, each.....\$300
- (B) Bear, brown or grizzly, each.....650
- (C) Bison, each.....650
- (D) Caribou, each.....425
- (E) Deer, each.....200
- (F) Elk, each.....400
- (G) Goat, each.....400
- (H) Moose, each.....500
- (I) Musk oxen, each.....1,500
- (J) Sheep, each.....550
- (K) Wolf, each.....250
- (L) Wolverine, each.....250

(22) Chitina personal use salmon dip net fishing permit  
 .....10

\* Sec. 21. AS 16.05.340(c) is amended to read:

(c) The commissioner may issue a duplicate license or a duplicate tag as a replacement for a license or tag issued under (a) of

1 this section. A fee of \$5 [\$2] shall be charged for each duplicate  
2 license or tag and the duplicate license or tag may [SHALL] not be  
3 issued unless the commissioner or a delegate is satisfied that the  
4 original has been lost or destroyed. This subsection does not apply  
5 to a 25-cent license issued under (a)(6) of this section.

6 \* Sec. 22. AS 16.05.940(25) is amended to read:

7 (25) "resident" means a person who for the preceding 12  
8 consecutive months has maintained a permanent place of abode in the  
9 state and who has continually maintained a voting residence in the  
10 state; and in the case of a partnership, association, joint stock  
11 company, trust, or corporation, "resident" means one that has its main  
12 office or headquarters in the state; however, a member of the military  
13 service who has been stationed in the state for the preceding 12  
14 consecutive months is a resident for the purposes of this paragraph,  
15 and the dependent of a resident member of the military service, who  
16 has been living in the state for the preceding year is a resident for  
17 the purposes of this paragraph; [,] and a person who is an alien but  
18 who for one year has maintained a permanent place of abode in the  
19 state is a resident for the purposes of this paragraph;

20 \* Sec. 23. AS 16.43.170(a) is amended to read:

21 (a) Except as provided in AS 16.10.333 - 16.10.338 and in  
22 AS 44.81.230 - 44.81.250, entry permits and interim-use permits are  
23 transferable only through the commission as provided in this section  
24 and AS 16.43.180 and under regulations adopted by the commission. An  
25 involuntary transfer of an entry permit in a manner inconsistent with  
26 this chapter and the regulations of the commission is void.

27 \* Sec. 24. Section 23 of this Act takes effect immediately under  
28 AS 01.10.070(c).

29 \* Sec. 25. Except for sec. 23 of this Act, this Act takes effect  
SCS CSHB 124(Res)

1 January 1, 1991.

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Amended: 4/24/90  
Offered: 4/11/90  
Referred: Rules

go0379hP

"B"

Original sponsor(s): Rules/Governor

1 IN THE HOUSE BY THE RULES COMMITTEE

2 CS FOR HOUSE BILL NO. 124 (Rules) am  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the sale of merchandise by the  
7 Department of Fish and Game, to sport fishing, trap-  
8 ping, and hunting licenses, to big game tags, to  
9 personal use salmon dip net fishing permits, to fur  
10 dealer, taxidermy, aquatic farming, and game farming  
11 licenses, and to duplicate licenses and tags; relat-  
12 ing to the definition of resident in fish and game  
13 laws; relating to use of revenue from sport fishing,  
14 trapping, and hunting licenses and tags; relating to  
15 the involuntary transfer of entry permits; and  
16 providing for an effective date."

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

18 \* Section 1. AS 16.05.050 is amended by adding a new paragraph to read:

19 (18) to authorize the production and sale of merchandise  
20 bearing designs, labels, or words associating the merchandise with the  
21 department; the merchandise may include posters, buttons, clothing,  
22 calendars, and glassware.

23 \* Sec. 2. AS 16.05.053 is amended by adding a new subsection to read:

24 (b) The commissioner of administration shall separately account  
25 for money collected under AS 16.05.050(18) that the department depos-  
26 its in the general fund. The annual estimated balance in the account  
27 may be appropriated by the legislature to the fish and game fund.

28 \* Sec. 3. AS 16.05.130 is amended by adding a new subsection to read:

29 (d) Revenue from the sale of general hunting, trapping, and

1 fishing licenses and tags together with the federal matching funds  
2 from Pittman - Robertson, Dingell - Johnson/Wallop - Breaux programs  
3 shall be allocated by the department to programs intended to directly  
4 benefit license purchasers of general hunting, trapping, and fishing  
5 licenses. The department shall provide an annual report by project of  
6 expenditures from the fish and game fund.

7 \* Sec. 4. AS 16.05.340(a)(1) is amended to read:

8 (1) Resident sport fishing license.....\$15 [\$10]

9 \* Sec. 5. AS 16.05.340(a)(2) is amended to read:

10 (2) Resident

11 (A) small game hunting license.....15 [12]

12 (B) hunting license for both big and small game....25

13 "Big game" means those species listed in (a)(15) of this section.

14 \* Sec. 6. AS 16.05.340(a)(3) is amended to read:

15 (3) Resident hunting and trapping license.....40 [22]

16 \* Sec. 7. AS 16.05.340(a)(4) is amended to read:

17 (4) Resident trapping license.....<sup>20</sup>~~15~~ [10]

18 \* Sec. 8. AS 16.05.340(a)(5) is amended to read:

19 (5) Resident hunting and sport fishing license.....<sup>35</sup>~~40~~ [22]

20 \* Sec. 9. AS 16.05.340(a)(6) is amended to read:

21 (6) Resident hunting, trapping, and sport fishing <sup>license</sup>

22 .....<sup>50</sup>~~55~~ [32]

23 However, the fee is 25 cents for an applicant who is the head of a  
24 family or a dependent member of that family, or who is solely self-  
25 supporting, upon proof presented by the applicant that the applicant

26 (A) is obtaining or has obtained assistance during the  
27 preceding six months under any state or federal welfare program  
28 to aid the indigent, or

29 (B) has an annual family gross income of less than

1           \$5,600 for the year preceding application.

2   \* Sec. 10. AS 16.05.340(a)(7) is amended to read:

3           (7) Nonresident special sport fishing license -- valid for

4           the period inscribed on the license

5                   (A) For 14-day license.....\$30 [\$20]

6                   (B) For three-day license .....15

7                   (C) For one-day license.....10

8   \* Sec. 11. AS 16.05.340(a)(8) is amended to read:

9           (8) Nonresident sport fishing license.....50 [36]

10   \* Sec. 12. AS 16.05.340(a)(9) is amended to read:

11           (9) Nonresident hunting license.....85 [60]

12   \* Sec. 13. AS 16.05.340(a)(10) is amended to read:

13           (10) Nonresident hunting and sport fishing

14                   license.....135 [96]

15   A nonresident may not take a big game animal without previously pur-

16   chasing a numbered, nontransferable, appropriate tag, issued under

17   (15) of this subsection. The tag must be affixed to the animal imme-

18   diately upon capture and must remain affixed until the animal is

19   prepared for storage, consumed, or exported. A tag issued but not

20   used for an animal may be used to satisfy the tagging requirement for

21   an animal of any other species for which the tag fee is of equal or

22   less value.

23   \* Sec. 14. AS 16.05.340(a)(11) is amended to read:           300

24           (11) Nonresident hunting and trapping license....~~250~~ [200]

25   \* Sec. 15. AS 16.05.340(a)(12) is amended to read:

26           (12) Fur dealers:

27                   (A) Resident fur dealer biennial license.....150 [100]

28                   (B) Nonresident fur dealer biennial license..500 [400]

29   \* Sec. 16. AS 16.05.340(a)(13) is amended to read:

1 (13) Taxidermists:

2 (A) Resident taxidermy biennial license.....200 [150]

3 (B) Nonresident taxidermy biennial license...500 [400]

4 \* Sec. 17. AS 16.05.340(a)(14) is amended to read:

5 (14) Aquatic [FISH] farming triennial [BIENNIAL]

6 license.....400 [200]

7 \* Sec. 18. AS 16.05.340(a)(15) is amended to read:

8 (15) Nonresident big game tags:

9 (A) Bear, black, each.....225 [200]

10 (B) [REPEALED.]

11 (C) Bear, brown or grizzly, each.....500 [350]

12 (D) BEAR, POLAR, EACH.....500

13 (C) [(E)] Bison, each.....450 [350]

14 (D) [(F)] Caribou, each.....~~325~~<sup>350</sup> [300]

15 (E) [(G)] Deer, each.....150 [135]

16 (F) [(H)] Elk, each.....300 [250]

17 (G) [(I)] Goat, each.....~~300~~<sup>325</sup> [250]

18 (H) [(J)] Moose, each.....400 [300]

19 (I) [(K)] Sheep, each.....425 [400]

20 (L) WALRUS, EACH .....500

21 (J) [(M)] Wolf, each.....175 [150]

22 (K) [(N)] Wolverine, each.....175 [150]

23 (L) [(O)] Musk oxen, each.....1,100

24 \* Sec. 19. AS 16.05.340(a)(18) is amended to read:

25 (18) Game farming:

26 (A) Game mammal or game reptile farming biennial

27 license.....\$250 [200]

28 (B) Game bird farming biennial license.....50 [20]

29 \* Sec. 20. AS 16.05.340(a) is amended by adding new paragraphs to read:



1 license or tag and the duplicate license or tag may [SHALL] not be  
2 issued unless the commissioner or a delegate is satisfied that the  
3 original has been lost or destroyed. This subsection does not apply  
4 to a 25-cent license issued under (a)(6) of this section.

5 \* Sec. 22. AS 16.05.940(25) is amended to read:

6 (25) "resident" means a person who for the preceding 12  
7 consecutive months has maintained a permanent place of abode in the  
8 state and who has continually maintained a voting residence in the  
9 state; and in the case of a partnership, association, joint stock  
10 company, trust, or corporation, "resident" means one that has its main  
11 office or headquarters in the state; however, a member of the military  
12 service who has been stationed in the state for the preceding 12  
13 consecutive months is a resident for the purposes of this paragraph,  
14 and the dependent of a resident member of the military service, who  
15 has been living in the state for the preceding year is a resident for  
16 the purposes of this paragraph; [,] and a person who is an alien but  
17 who for one year has maintained a permanent place of abode in the  
18 state is a resident for the purposes of this paragraph;

19 \* Sec. 23. AS 16.43.170(a) is amended to read:

20 (a) Except as provided in AS 16.10.333 - 16.10.338 and in  
21 AS 44.81.230 - 44.81.250, entry permits and interim-use permits are  
22 transferable only through the commission as provided in this section  
23 and AS 16.43.180 and under regulations adopted by the commission. An  
24 involuntary transfer of an entry permit in a manner inconsistent with  
25 this chapter and the regulations of the commission is void.

26 \* Sec. 24. Section 23 of this Act takes effect immediately under  
27 AS 01.10.070(c).

28 \* Sec. 25. Except for sec. 23 of this Act, this Act takes effect  
29 January 1, 1991.

A  
//

Original sponsor(s): Rules/Governor

1 IN THE HOUSE

BY THE RULES COMMITTEE

2

CS FOR HOUSE BILL NO. 124 (Rules) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the sale of merchandise by the Department of Fish and Game, to sport fishing, trapping, and hunting licenses, to big game tags, to personal use salmon dip net fishing permits, to fur dealer, taxidermy, aquatic farming, and game farming licenses, and to duplicate licenses and tags; relating to the definition of resident in fish and game laws; relating to use of revenue from sport fishing, trapping, and hunting licenses and tags; relating to the involuntary transfer of entry permits; and providing for an effective date."

17

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

18

\* Section 1. AS 16.05.050 is amended by adding a new paragraph to read:

19

(18) to authorize the production and sale of merchandise

20

bearing designs, labels, or words associating the merchandise with the department; the merchandise may include posters, buttons, clothing, calendars, and glassware.

21

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23

\* Sec. 2. AS 16.05.053 is amended by adding a new subsection to read:

24

(b) The commissioner of administration shall separately account

25

for money collected under AS 16.05.050(18) that the department deposits in the general fund. The annual estimated balance in the account may be appropriated by the legislature to the fish and game fund.

26

27

28

\* Sec. 3. AS 16.05.130 is amended by adding a new subsection to read:

29

(d) Revenue from the sale of general hunting, trapping, and

1 fishing licenses and tags together with the federal matching funds  
2 from Pittman - Robertson, Dingell - Johnson/Wallop - Breaux programs  
3 shall be allocated by the department to programs intended to directly  
4 benefit license purchasers of general hunting, trapping, and fishing  
5 licenses. The department shall provide an annual report by project of  
6 expenditures from the fish and game fund.

7 \* Sec. 4. ~~AS 16.05.340(a)(1)~~ is amended to read:

8 (1) Resident sport fishing license.....\$15 [\$10]

9 \* Sec. 5. ~~AS 16.05.340(a)(2)~~ is amended to read:

10 (2) Resident

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13 "Big game" means those species listed in (a)(15) of this section.

14 \* Sec. 6. ~~AS 16.05.340(a)(3)~~ is amended to read:

15 (3) Resident hunting and trapping license.....40 [22]

16 \* Sec. 7. ~~AS 16.05.340(a)(4)~~ is amended to read:

17 (4) Resident trapping license.....15 [10]

18 \* Sec. 8. ~~AS 16.05.340(a)(5)~~ is amended to read:

19 (5) Resident hunting and sport fishing license.....40 [22]

20 \* Sec. 9. ~~AS 16.05.340(a)(6)~~ is amended to read:

21 (6) Resident hunting, trapping, and sport fishing license  
22 ..... ~~50~~ 55 [32]

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24 family or a dependent member of that family, or who is solely self-  
25 supporting, upon proof presented by the applicant that the applicant

26 (A) is obtaining or has obtained assistance during the  
27 preceding six months under any state or federal welfare program  
28 to aid the indigent, or

29 (B) has an annual family gross income of less than

*Conforming*

1           \$5,600 for the year preceding application.

2   \* Sec. 10. AS 16.05.340(a)(7) is amended to read:

3           (7) Nonresident special sport fishing license -- valid for

4           the period inscribed on the license

5                   (A) For 14-day license.....\$30 [\$20]

6                   (B) For three-day license .....15

7                   (C) For one-day license.....10

8   \* Sec. 11. AS 16.05.340(a)(8) is amended to read:

9           (8) Nonresident sport fishing license.....50 [36]

10   \* Sec. 12. AS 16.05.340(a)(9) is amended to read:

11           (9) Nonresident hunting license.....85 [60]

12   \* Sec. 13. AS 16.05.340(a)(10) is amended to read:

13           (10) Nonresident hunting and sport fishing

14           license.....135 [96]

15   A nonresident may not take a big game animal without previously pur-

16   chasing a numbered, nontransferable, appropriate tag, issued under

17   (15) of this subsection. The tag must be affixed to the animal imme-

18   diately upon capture and must remain affixed until the animal is

19   prepared for storage, consumed, or exported. A tag issued but not

20   used for an animal may be used to satisfy the tagging requirement for

21   an animal of any other species for which the tag fee is of equal or

22   less value.

23   \* Sec. 14. AS 16.05.340(a)(11) is amended to read:

24           (11) Nonresident hunting and trapping license....\$250 [\$200]

25   \* Sec. 15. AS 16.05.340(a)(12) is amended to read:

26           (12) Fur dealers:

27                   (A) Resident fur dealer biennial license.....150 [100]

28                   (B) Nonresident fur dealer biennial license..500 [400]

29   \* Sec. 16. AS 16.05.340(a)(13) is amended to read:

1 (13) Taxidermists:

2 (A) Resident taxidermy biennial license.....200 [150]

3 (B) Nonresident taxidermy biennial license...500 [400]

4 \* Sec. 17. AS 16.05.340(a)(14) is amended to read:

5 (14) Aquatic [FISH] farming triennial [BIENNIAL]

6 license.....400 [200]

7 \* Sec. 18. AS 16.05.340(a)(15) is amended to read:

8 (15) Nonresident big game tags:

9 (A) Bear, black, each.....225 [200]

10 (B) [REPEALED.]

11 (C) Bear, brown or grizzly, each.....500 [350]

12 (D) BEAR, POLAR, EACH.....500

13 (C) [(E)] Bison, each.....450 [350]

14 (D) [(F)] Caribou, each.....325 [300]

15 (E) [(G)] Deer, each.....150 [135]

16 (F) [(H)] Elk, each.....300 [250]

17 (G) [(I)] Goat, each.....300 [250]

18 (H) [(J)] Moose, each.....400 [300]

19 (I) [(K)] Sheep, each.....425 [400]

20 (L) WALRUS, EACH .....500

21 (J) [(M)] Wolf, each.....175 [150]

22 (K) [(N)] Wolverine, each.....175 [150]

23 (L) [(O)] Musk oxen, each.....1,100

24 \* Sec. 19. AS 16.05.340(a)(18) is amended to read:

25 (18) Game farming:

26 (A) Game mammal or game reptile farming biennial

27 license.....\$250 [200]

28 (B) Game bird farming biennial license.....50 [20]

29 \* Sec. 20. AS 16.05.340(a) is amended by adding new paragraphs to read:



1 license or tag and the duplicate license or tag may [SHALL] not be  
2 issued unless the commissioner or a delegate is satisfied that the  
3 original has been lost or destroyed. [This subsection does not apply  
4 to a 25-cent license issued under (a)(6) of this section.]

*Conforming  
change*

5 \* Sec. 22. AS 16.05.940(25) is amended to read:

6 (25) "resident" means a person who for the preceding 12  
7 consecutive months has maintained a permanent place of abode in the  
8 state and who has continually maintained a voting residence in the  
9 state; and in the case of a partnership, association, joint stock  
10 company, trust, or corporation, "resident" means one that has its main  
11 office or headquarters in the state; however, a member of the military  
12 service who has been stationed in the state for the preceding 12  
13 consecutive months is a resident for the purposes of this paragraph,  
14 and the dependent of a resident member of the military service, who  
15 has been living in the state for the preceding year is a resident for  
16 the purposes of this paragraph; [,] and a person who is an alien but  
17 who for one year has maintained a permanent place of abode in the  
18 state is a resident for the purposes of this paragraph;

19 \* Sec. 23. AS 16.43.170(a) is amended to read:

20 (a) Except as provided in AS 16.10.333 - 16.10.338 and in  
21 AS 44.81.230 - 44.81.250, entry permits and interim-use permits are  
22 transferable only through the commission as provided in this section  
23 and AS 16.43.180 and under regulations adopted by the commission. An  
24 involuntary transfer of an entry permit in a manner inconsistent with  
25 this chapter and the regulations of the commission is void.

26 \* Sec. 24. Section 23 of this Act takes effect immediately under  
27 AS 01.10.070(c).

28 \* Sec. 25. Except for sec. 23 of this Act, this Act takes effect  
29 January 1, 1991.

HB124

**KETCHIKAN SPORTS and WILDLIFE CLUB**

P.O. Box 5122 • Ketchikan, Alaska 99901

January 19, 1990

FEB 6 1990

Governor Steve Cowper  
Office of the Governor  
P.O. Box A  
Juneau, Alaska 99811-0101

Dear Governor Cowper,

There is an issue coming up in the 1990 legislative session that should give everyone who has ever bought a state hunting and fishing license a slap in the face. The issue is, increasing hunting and fishing license fees, as in House Bill 124.

Not a day goes by that somewhere in the paper you see an article about environmental groups trying to legally tie up our economy in the courts. These groups, although numbers are small, scream the loudest.

There is one group that although not normally vocal, are still in this category. It is not financed by private funds, but state funds. This is the states Alaska Department of Fish and Game (ADF&G). They consistently attack the timber industry as if they were responsible for all of the fish and game problems in Southeast Alaska. This is simply not true. ADF&G will finger any problem area not under their control as to the reason for game population reductions. Mention wolves and Commissioner Collinsworth crawls under his desk. Mention supplemental feed programs and we get "No way!! It's not natural and we are understaffed." Mention logging roads and old growth timber and five biologists appear!! Why is the ADF&G against the logging industry? Because it creates work and most importantly, federal funds. These funds finance these meaningless research projects they are so proud of.

Example: In the early 80's a predator prey research project was conducted here in Ketchikan to determine the effects wolves have on deer population. This was to last for three years. After collaring different members of different packs and tracking them all year, nothing was learned that any trapper or woodsman didn't know or couldn't tell you. This project was dropped after the first year with no results and no recommendations. Price tag: \$300,000.00

Later, goats were collared and monitored to determine if logging effected goat habitat. This project was dropped and again with no results or recommendations. Price tag: \$150,000.00 The list goes on and on.

In the Ketchikan Daily News on March 30, 1989 (Point of View) was an article from Keith J. Walker, a 33 year forester from Hoonah. "The Alaska Department of Fish and Game is a highly skilled political organization with various environmental groups to prevent or intercede any industrial use of Alaskans forest resources." This is always supported by claims and documents based on theory and policies, not on fact.

A cold hard fact is the State is running out of money. In just five years the Prudhoe Bay productions will be about two thirds of todays production, and by the year 2000 it will be about one third. This means simply, there will be less funds to go around. The bottom line here is, why pay more for the same old thing? Doubling your fishing and hunting fees will not increase fish and game populations. Increasing your license fees will not make a more responsible or efficient department out of our already top heavy administration.

Thank you,

KETCHIKAN SPORTS AND WILDLIFE CLUB

Bob DeWitt, Vice President

c.c. all legislators  
all AOC clubs  
Ketchikan Daily News  
Juneau Empire  
Sitka Sentinel

Petersburg Pilot  
Wrangell Sentinel  
Island News  
Martin Pihl - KPC  
Mary Biship - AOC, Fairbanks

Proposed amendment to HB 124 (license increase)

16.05.390 (F) Revenues generated from the sale of licenses to recreational hunters, fishermen, trappers and personal consumptive users and deposited to the fish and game fund shall be allocated by the Department to programs intended to directly benefit license purchasers. (The Department shall provide an annual report by project of expenditures from the fish and game fund.)

## CSHB 124

### OVERVIEW

Original Sponsor: Governor

Passed the House 30 to 10 on April 26

**Related legislation:** A bill to increase the low income license (SB 30) to \$5 is awaiting the Governor's signature. It passed the Senate 17 to 1 and passed the House 30 to 9.

The Alaska Board of Game endorsed and supported this legislation in letters to the Senate President and the House Speaker. The National Wildlife Federation, on behalf of its 8,000 Alaskan affiliate members, supports the bill, as does the Southcentral Regional Council. Alaska Department of Fish and Game (ADF&G) has worked closely with the Alaska Outdoor Council in developing much of the language for CSHB 124. The Outdoor Council recognizes the need for additional revenues to the Fish and Game Fund.

Hunting and fishing licenses have not increased in price since 1977. While many states have provisions for automatic increases and other states have the ability to administratively increase fees, Alaska's license fees are set by the Legislature. It has been fourteen years since a thorough review of the state's license fee structure was conducted.

### THREE BASIC PROVISIONS

First, CSHB 124 will permit the ADF&G to make available certain merchandise items identified with the department as a means to generate revenues. Nearly all similar state agencies engage in such programs to benefit nongame and educational programs. At the national level, several federal agencies, including BLM, the Fish and Wildlife Service, National Park Service, and others have signed an MOU aimed at supporting "watchable wildlife" programs in the states. Many states have already developed such

programs, and a portion of the funding for them is generated through the sale of department-identified items. Generally, it is not a major fundraiser.

Second, the main intent of CSHB 124 is to bring the state's license fees more in line with those charged in other states. The Legislature has already increased the low income license from 25 cents to \$5. It had remained at 25 cents since statehood. Other fish and game agencies in the western United States which face the same funding crunch confronting ADF&G have continually increased their fees.

**Example:**

For a resident to hunt deer the cost is:

Alaska	\$12
Alberta	\$28
British Columbia	\$27
Nevada	\$30

These fees are per animal, whereas in Alaska the single \$12 license covers a variety of big game species. In theory, an Alaskan resident can shoot several deer, a moose, caribou, small game, sheep, etc., on one \$12 license, plus permit application fees where applicable.

For nonresidents to hunt deer the cost is:

Alaska	\$195
Alberta	\$178
British Columbia	\$178
Montana	\$200
Nevada	\$210

A Montana resident can buy a combination license to sport fish and hunt elk, deer, bear, and birds for \$450. In Alaska, a resident pays \$22 for the same privilege.

In an effort to assist the charter boat and recreational fishing industry, CSHB 124 incorporates a one-day fishing license for \$10. Many visitors only want to fish for one day. The bill also contains a broader selection of licenses for both resident and nonresidents so that recreational hunters and fishers do not need to buy more than they need. For example, a small game license will only cost \$15 for those who do not intend to hunt big game. At the request of a sportsman group, a special permit fee is established for the Chitina Dip Net fishery.

Third, Section 23 of the bill adds language to protect limited entry permit holders from involuntary transfer of limited entry fishing permits. The Commercial Fisheries Entry Commission is prepared to testify on the importance and effect of this language.

#### **USE OF THE PROCEEDS**

Passage of CSHB 124 will provide the revenues needed to implement a long list of projects planned by the Divisions of Sport Fish and Wildlife Conservation. These added receipts to the Fish and Game Fund will allow ADF&G to continue to match available federal money.

While some members of the outdoor public may disagree with ADF&G on certain policies from time to time, there appears to be broad consensus that the department needs the additional revenues which would be generated by passage of CSHB 124.

#### **EFFECTIVE DATE**

The increases in license fees will not take effect until January 1, 1991.

SCSCSHB 124 (Finance)  
Senate Resources  
Letter of Intent  
5/3/90

It is the intent of the legislature to amend AS 16.43.170(a) in order to reiterate, emphasize, and clarify the original intent of the legislature in adopting the Limited Entry Act of 1973, AS 16.43.010--990.

Alaska's limited entry system is the product of years of effort by the State beginning in 1961. Two previous attempts by the legislature to establish the means to limit entry into Alaska's fisheries failed as the result of legal challenges.

The Alaska legislature persisted, however, because Alaska's salmon fisheries were experiencing a long and threatening decline, while the number of participants continued to increase substantially, which resulted in more and more fishing pressure on a diminishing resource. A limited entry system was the only means by which the State could control a critical variable in the management of its fishery resources: the number of fishermen participating in a given fishery.

Following action by the legislature, in 1972, Alaska voters approved an amendment to Article VIII, Section 15 of the Alaska Constitution, which authorized:

the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood and to promote the efficient development of aquaculture in the State.

Building upon this constitutional foundation, in 1973, the Alaska legislature adopted the Limited Entry Act, which has resulted in the largest limited entry program of its kind in the United States. Limitation of entry into all twenty-six of Alaska's salmon fisheries followed shortly. During 1976, by referendum, the voters of Alaska again supported limited entry by a margin of almost two-to-one. Today, some forty-six of Alaska's fisheries are under limitation.

As a food source important to Alaskans and the world, Alaska's fisheries are without question one of its most important renewable resources. Alaska's fisheries employ a substantial segment of the State's population, and many remote communities rely upon commercial fishing as their primary economic base. Therefore, sound management of its fisheries is crucial to the

State of Alaska, and limited entry is an important part of the State's management system.

Extensive biological, economic, historic, and cultural data and analyses have been generated to aid the development, enactment, and review of entry limitation in Alaska. (A partial bibliography is set forth in Appendix A.) Thousands of hours of hearings throughout the State and before the legislature have informed the choices made in shaping Alaska's limited entry system. Alaska's courts have carefully scrutinized the program and developed a body of law governing limited entry in Alaska that is both extensive and unique. (A partial list of cases decided by the Alaska Supreme Court set forth in Appendix B.)

In addition to direction and support from the legislature and the courts, Alaska's limited entry program has functioned only through the continuing cooperation and support of the Governor of Alaska, the Alaska Departments of Fish and Game, Law, Revenue, Administration, Commerce, and Public Safety, together with that of private citizens, economists, lawyers, scientists, processors, and, particularly, fishermen.

Under AS 16.43.140, no commercial fisherman may operate fishing gear in a limited fishery without an entry permit. The Alaska Commercial Fisheries Entry Commission (CFEC) issues entry permits and administers the program. The entry permit is the critical element of the system and, to an Alaskan fisherman, an entry permit is a legally required tool of his trade. In establishing limited entry and considering the needs of the State and its citizens, the Alaska legislature gave careful consideration to the nature of an entry permit and the privileges that a permit would extend to its holder.

In enacting a limited entry system, if the legislature had been committed only to simplicity and economy, it could have authorized auctioning of a limited number of property rights to its fisheries. The legislature rejected this approach, because it would not have been consistent with the State's most important objectives in establishing a limited entry system.

The legislature recognized that, for the purpose of conservation, the State needed to retain control of its fishery resources. Looking ahead, the legislature wished to ensure that privileges extended through an entry permit could be revoked or modified as necessary and without compensation. Furthermore, to ensure compliance with laws and regulations governing its fisheries, privileges extended must be conditioned upon compliance with those requirements. At the same time, the legislature believed that, in view of the substantial reliance on their fisheries by fishermen and those dependent upon them, privileges should be extended only to qualified, individual fishermen who could demonstrate their dependence.

While recognizing the importance of limiting and controlling fishing privileges, the legislature also intended to provide individual fishermen with a sufficient stake in their fisheries that they would be more likely to have a personal commitment to conservation and enhancement of those fisheries. In recognition of the fact that fishermen, their families, and, in many cases, entire communities, depended upon access to their fisheries for their basic welfare, the legislature believed that any privileges extended should be protected from forced and intemperate transfers. At the same time, because, necessarily, only a limited number of privileges would be extended, the legislature wished to ensure that the State would be reasonably compensated by regular permit fees. Finally, the legislature wished to restrain the unnecessary growth of State bureaucracy.

Among other considerations, the resulting Limited Entry Act and its implementation by CFEC have defined and regulated entry permits in a manner designed to reach these legislative objectives.

The legislature declared that an entry permit and the privileges it carried would not be the property of its holder. AS 16.43.150(e) provides that an entry permit is merely:

a use privilege which may be modified or revoked by the legislature without compensation.

An entry permit must be renewed annually, and is subject to forfeiture if not renewed for two years. The holder must pay an annual renewal fee established by CFEC based upon "the different rates of economic return for different fisheries." AS 16.43.160(b).

The legislature required CFEC to issue permits only to fishermen applicants who needed the permits the most. Only an individual, and not a vessel nor an organization of any kind, may receive an entry permit.

Under AS 16.43.250, CFEC ranks applicants for entry permits for a particular fishery "according to the degree of hardship which they would suffer" by not receiving a permit from the State. AS 16.43.250 provides the following standards for measuring hardship:

(1) degree of economic dependence upon the fishery, including, when reasonable for the fishery, the percentage of income derived from the fishery, reliance on alternative occupations, availability of alternative occupations, investment in vessels and gear;

(2) extent of past participation in the fishery, including, when reasonable for the fishery, the number of years of participation in the fishery, and the consistency of participation during each year.

From the statute, and further derived from extensive biological, economic, and other data, CFEC has developed a series of intricate point systems for the purpose of ranking the degree of hardship individual denied applicants would suffer. 20 AAC 05.600--20 AAC 05.742. Each applicant who would suffer significant hardship by denial is entitled to a permit, even if the maximum number of permits for a given fishery would be exceeded thereby. AS 16.43.270(a). To support the State's conservation goals and to recognize some historic and cultural fishing patterns, the system has never rewarded nor encouraged high individual production.

Although permits do not constitute property belonging to their holders, the legislature, subject to control and approval by CFEC, authorized holders to transfer their permits. Doing so advanced several of the State's objectives. Among other considerations, by not interrupting a holder's use of his entry permit and further authorizing the fisherman to transfer his permit, the fisherman and those dependent upon him held the means to continue their access to the fishery and their livelihood. Additionally, by not cutting off the fisherman's interest (as would have been the case through a lottery or reversion and reissue system) the holder was granted a sufficiently long-term privilege in the fishery so as to be encouraged to both conserve and enhance the fishery resource. Finally, by not requiring the State to select who would be a subsequent recipient of the privilege, the legislature avoided generating an additional and unnecessary State bureaucracy.

Consistent with its grant of only a privilege, the State through CFEC, retained control over all transfers. A permit holder may transfer his permit only upon approval by CFEC. AS 16.43.170. To ensure against intemperate transfers, the legislature requires a 60-day waiting period before a permit may be transferred. A fisherman may revoke an agreement to transfer any time during this 60-day period. A number of legal requirements must be satisfied before CFEC will approve a transfer. AS 16.43.170; 20 AAC 05.710.

Generally, AS 16.43.150(g) prohibits involuntary transfer requiring that an entry permit may not be "attached, distrained, or sold on execution of judgement or under any other process or order of any court." Additionally, a fisherman may not pledge his entry permit as security for a debt. (The legislature recognized that the absence of a property right might impair a

fisherman's ability to obtain financing for the purchase of a permit and his fishing operation, and, therefore, established two State authorized loan programs. AS 16.10.333-16.10.377; 44.81.271; and 44.81.230-44.81.250.) Just as a fisherman could not, contrary to State law, create a security interest in his fishing privilege, neither can a creditor.

The legislature recognized that a fisherman's earnings were seasonal and subject to many variables from year-to-year beyond control (for example, weather, predation, and interception). If creditors with short term objectives were allowed to treat an entry permit as a fungible item of property and to seize and force its sale, a fisherman without other means of earning a living, together with those dependent upon him, could well be left destitute. In Alaska, where many communities in remote areas of the State depend upon commercial fishing as the primary basis for their cash economy, this is a very real possibility. [The legislature notes that the Social Security Administration has acknowledged the wisdom of Alaska's approach by recognizing that an entry permit is essential to self-support, and, therefore, by not considering the market value of a permit as an alternative resource in determining an individual's eligibility for Supplemental Security Income benefits. 50 Fed. Reg. 42683, 42685 (1985).]

Although the State of Alaska could not countenance a system that inexorably would sever fishermen from the source of their livelihood, nonetheless, as a privilege, the legislature has made clear that an entry permit is subject to forfeiture, if its holder fails to abide by the applicable laws. See, for example, AS 16.05.480; 16.05.665; 16.05.710; 16.43.960; 16.43.970. Ultimately, because it has granted to fishermen only a revocable privilege, the State retains the dominion and control necessary to protect and manage its fishery resources.

In conclusion, compelling State interests were served, when the legislature rejected the idea that an entry permit represent a property right belonging to the permit holder. Instead, the legislature chose to establish an entry permit as a mere privilege, subject to State control, and revocable at the will of the State without compensation. Therefore, in order to reemphasize and to clarify its intent, the legislature amends AS 16.43.170(a).

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