

S B

96

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 3/2/89
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER FINANCE

**FISCAL NOTE(S) MUST BE ATTACHED
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE 3/8/89

1/9/89

Mr. President:

RESOURCES

Committee considered SB 96

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

and recommended:

- replace with CS SB 96 (Rev) same title
- attached amendment(s) and new title
- _____ letter of intent adopted

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

FISCAL NOTE(S) attached zero fiscal impact
 appropriation no FN attached Gov.. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

~~_____~~

_____ NO REC
_____ NO REC

_____ No Rec
 Chairman signature and recommendation

Committee backup attached

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 12, 1989

SUBJECT: Title of Senate Bill 96
TO: Senator Bettye Fahrenkamp
Senate Resources Committee
FROM: George Utermohle *GU*
Legislative Counsel

Senate Bill 96, introduced by the Governor, has been referred to your committee.

The bill relates to agents who sell or collect fees for certain fish and game licenses, tags, and permits.

M Among the things the bill does is to amend AS 16.05.460 by repealing the responsibilities of these agents to assist applicants in the completion of annual application or renewal forms for interim-use and limited entry permits. This change in the duties of the agents is not expressed in the title of the bill. Under Article II, section 13 of the Alaska Constitution the subject of a bill must be expressed in the bill title.

(The defect in the bill title may be cured by inserting the words "duties of," on page 1, line 7, following "against,".

Also, on page 2, lines 16 - 17, the bill attempts to amend the catchline for AS 16.05.470 in a bill section that does not set out the full section. This is not consistent with legislative drafting style; the catchline line should be deleted. Any amendment of a catchline that should be made as the result of an amendment of a statute will be done editorially by the Revisor of Statutes when the Alaska Statutes are updated following the session.

If I may be of further assistance, please advise.

GU:kb
wkk1/028

*amendment
adopted
develop CS-*



**STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS**

DEPARTMENT Fish and Game	DIVISION Administration	BILL NUMBER HB 76/SB 96	SPONSOR Rules	
SHORT TITLE OF BILL "An act relating to compensation for, penalties against, proceeds..."				
DEPARTMENT POSITION Recommend for approval.				
PREPARED BY Douglas S. Hanon	DATE 03-03-89	COMMISSIONER'S SIGNATURE <i>Don Williamsworth</i>		DATE 3.3.89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL	CONSTITUENT GROUPS AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

ANALYSIS OF BILL/PROGRAM EFFECTS

Changes in the proposed bill allow the department to enhance the revenue collection and statistically data gathering aspects of the licensing system by providing penalties for late filing of required reports and past due accounts and permitting tailoring of vendor contracts to specific vendor situations. The bill also eliminates minimum vendor commission payment restrictions, allowing the department to issue vendor compensation payments in amounts that are less than fifty dollars (\$50.00).

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: 03/15/89
Title: "An Act relating to compensation for..."
Sponsor: Rules, Governor
Requestor: Senate Resources

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

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	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Beverly Reaume Phone: 465-4120
Division: Administration Date: 03/15/89
Approved by Commissioner: [Signature] Date: 3/15/89
Agency: Fish and Game

Distribution (by preparer):

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

CS FOR SENATE BILL NO. 96 (Resources) was read the second time.

Senator Halford offered Amendment No. 1:

Page 1, line 6: Delete "compensation for,"

Page 1, lines 7 - 8: Delete ", duties of, and proceeds, fees, forms, and reports transmitted by"

Insert "and duties of"

Page 1, line 9: After "permits;"

Insert "requiring reports and proceeds to be

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											

04/14/89

SENATE JOURNAL

PAGE 1245

received before compensation is paid to agents who sell certain licenses, tags, and permits; repealing the duties of and compensation for agents who assist in completing forms for interim-use and entry permits;"

amendment # 1 adopted

Senator Halford moved and asked unanimous consent for the adoption of Amendment No. 1. Without objection, Amendment No. 1 was adopted.

04/14/89

SENATE JOURNAL
SENATE JOURNAL

PAGE 1246

1246

April 14, 1989

SB 96 cont'd

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

BILL: SB 96

NAME: CSSB 96(RES)(TITLE AM)

"An Act relating to penalties against and duties of agents who sell or collect fees for certain licenses, tags, and permits; requiring reports and proceeds to be received before compensation is paid to agents who sell certain licenses, tags, and permits; repealing the duties of and compensation for agents who assist in completing forms for interim-use and entry permits; and providing for an effective date."

PRIME SPONSOR: RULES

BY REQUEST OF THE GOVERNOR

CURRENT STATUS: PASSD(S) RECON NTCE

STATUS DATE: 04/14/89

Selection=>

PF1 PF2 PF3 PF4 PF5 PF6 PF7 PF8 PF9 PF10 PF11 PF12
HELP EXIT MENU TEXT PRINT BWD FWD CMT/JRNL FIRST LAST QUIT
SB 96 Bill/Resolution Floor Action Page 2 of 3

Current Status: PASSD(S) RECON NTCE

Table with columns: Jrn-Date, Jrn-Page, Action. Rows 1-18 detailing legislative actions and dates.

Selection=>

PF1 PF2 PF3 PF4 PF5 PF6 PF7 PF8 PF9 PF10 PF11 PF12
HELP EXIT MENU TEXT PRINT BWD FWD CMT/JRNL FIRST LAST QUIT
SB 96 Bill/Resolution Floor Action Page 3 of 3

Current Status: PASSD(S) RECON NTCE

Table with columns: Jrn-Date, Jrn-Page, Action. Rows 1-2 detailing legislative actions and dates.

Selection

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 96 (Resources)
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 [compensation for] penalties
7 against, [duties of, and proceeds, fees, forms, and
8 reports transmitted by] ^{And duties of} agents who sell or collect
9 fees for certain licenses, tags, and permits; ^{requiring} and
10 ^{reports and proceeds to be received before} providing for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE ST. ^{received before compensation is paid to agents who}
^{sell certain licenses, tags, and permits;}
^{repealing the duties of and compensation for}
12 * Section 1. AS 16.05.390(c) is amended ^{agents who assist in completing forms for interim-}
^{use and entry permits;"}

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

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

26 (f) Proceeds and reports under (b) of this section shall be
27 transmitted to the commissioner by the last day of the month following
28 the month in which the licenses and tags are sold, unless an alterna-
29 tive reporting schedule has been established by contract.

1 (g) The commissioner may assess a penalty against an agent who
2 does not transmit proceeds within the time allowed under (f) of this
3 section. The penalty is equal to one and one-half percent of the
4 amount of proceeds due. The penalty may be assessed for each month or
5 portion of a month that the proceeds are delinquent. A penalty under
6 this subsection shall be withheld from the agent's compensation under
7 (a)(2) of this section.

8 * Sec. 3. AS 16.05.460 is amended to read:

9 Sec. 16.05.460. COMMISSIONER [OF REVENUE] MAY APPOINT AGENTS.
10 The commissioner [OF REVENUE] may appoint qualified persons as agents
11 to receive applications, issue licenses, and collect license fees
12 under AS 16.05.440 - 16.05.480 [, AND TO ASSIST IN THE COMPLETION OF
13 ANNUAL APPLICATION OR RENEWAL FORMS FOR INTERIM-USE PERMITS AND ENTRY
14 PERMITS ISSUED UNDER AS 16.43].

15 * Sec. 4. AS 16.05.470 is amended by adding new subsections to read:

16 (c) Forms and fees under (a) of this section shall be transmit-
17 ted to the commissioner by the last day of the month following the
18 month in which the fees are collected. The commissioner may grant an
19 extension of not more than 30 days if the agent establishes that

20 (1) failure to grant an extension would impose an excessive
21 financial hardship on the agent;

22 (2) the fees collected by the agent for the period, includ-
23 ing the amount that the agent is authorized to retain, totals less
24 than \$1,000; and

25 (3) the cumulative amount of fees due from the agent,
26 including the fees due for the current period, does not exceed \$1,000.

27 (d) The commissioner may assess a penalty against an agent who
28 does not transmit fees within the time allowed under (c) of this
29 section. The penalty is equal to one and one-half percent of the

1 amount of fees due. The penalty may be assessed for each month or
2 portion of a month that the fees are delinquent.
3 * Sec. 5. AS 16.05.470(b) is repealed.
4 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

REQUEST:

Revision Date: 03/03/89
 Title: "An act relating to compensation for penalties against proceeds..."
 Sponsor: Rules
 Requestor: Steve Cowder

Agency Affected: Fish and Game

BRU: _____

Components: _____

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						

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)

See Bill Analysis.

Prepared by: Douglas S. Hanon
 Division: Administration

Phone: 465-4120
 Date: 03-03-89

Approved by Commissioner: *Steve Cowder*
 Agency: Fish and Game

Date: 03-03-89

Distribution (by preparer):

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

The actual legislation proposed by the Governor does the following:

1. Transfers administration of the program from the Department of Revenue to the Department of Fish and Game.
2. Allows for tailoring vendor contracts to specific vendors to allow flexibility in relieving small vendors of monthly reporting.
3. Allows for assessment of penalties for vendors who fail to report according to their contractual schedules.

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CSSB 96 (b)
PUBLISH DATE: 4/13/89

FISCAL NOTE

REQUEST:

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

Agency Affected: Revenue
DRU: Income and Excise Audit
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS:

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

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

Approved by Commissioner: Hugh Malone
Agency: Department of Revenue

Date: December 19, 1988

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

Changes in the Resources ES have no fiscal effect. This fiscal note is appropriate
page 1 of 1

FISCAL NOTE

REQUEST:

Revision Date: 03/15/89
Title: "An Act relating to compensation for..."
Sponsor: Rules, Governor
Requestor: Senate Resources

Agency Affected: Fish and Game
BRU: Administration and Support

Components: Administrative Services

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	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Beverly Reaume
Division: Administration

Phone: 465-4120

Date: 03/15/89

Approved by Commissioner: [Signature]
Agency: Fish and Game

Date: 3/15/89

Distribution (by preparer):

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

SB 96

SENATE BILL NO. 96 by the Rules Committee by request of the Governor, entitled:

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

was read the first time and referred to the Resources Committee and the Finance Committee.

Zero fiscal notes published today from Department of Fish and Game and the Department of Revenue.

Dear Senator Kelly:

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

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

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

SB 96 cont'd

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

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

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

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

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

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

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

SB 96 cont'd

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

Sincerely,

/s/
Steve Cowper
Governor

March 9, 1989

SENATE JOURNAL

p. 703

SB 96

The Resources Committee considered SENATE BILL NO. 96 (An Act relating to compensation for, penalties against, and proceeds, fees, forms, and reports transmitted by agents who sell or collect fees for certain licenses, tags, and permits; and providing for an effective date) and a majority of the committee recommended it be replaced with

CS FOR SENATE BILL NO. 96 (Resources), entitled:
"An Act relating to compensation for, penalties against, duties of, and proceeds, fees, forms, and reports transmitted by agents who sell or collect fees for certain licenses, tags, and permits; and providing for an effective date."

and do pass. The report was signed by Senator Fahrenkamp, Chair, and concurred in by Senators Kerttula, Eliason and Sturgulewski. Senators Halford and Frank signed "no recommendation."

Zero fiscal note for the committee substitute published today from Department of Fish and Game and fiscal note forthcoming.

SENATE BILL NO. 96 was referred to the Finance Committee.

March 17, 1989

SENATE JOURNAL

p. 830

SB 96

Zero fiscal note for Committee Substitute for Senate Bill NO. 96 (Resources) (An Act relating to compensation for, penalties against, duties of, and proceeds, fees, forms, and reports transmitted by agents who sell or collect fees for certain licenses, tags, and permits; and providing for an effective date) published today from Department of Fish and Game.

SB 96 cont'd

April 12, 1989

SENATE JOURNAL

p. 1196

SB 96

The Finance Committee considered SENATE BILL NO. 96 (An Act relating to compensation for, penalties against, and proceeds, fees, forms, and reports transmitted by agents who sell or collect fees for certain licenses, tags, and permits; and providing for an effective date) and a majority of the committee recommended the Resources Committee Substitute (page 703) be adopted and do pass. The report was signed by Senator Uehling, Co-Chair, and concurred in by Senators Zharoff, Pearce and Fischer. Senators Duncan and Frank signed "no recommendation."

Previous zero fiscal note.

SENATE BILL NO. 96 was referred to the Rules Committee.

April 14, 1989

SENATE JOURNAL

p. 1238

SB 96

Zero fiscal note for Committee Substitute for Senate Bill No. 96 (Resources) (An Act relating to compensation for, penalties against, duties of, and proceeds, fees, forms, and reports transmitted by agents who sell or collect fees for certain licenses, tags, and permits; and providing for an effective date) published today from Department of Revenue.

April 14, 1989

SENATE JOURNAL

p. 1240

SB 96

The Rules Committee considered SENATE BILL NO. 96 (An Act relating to compensation for, penalties against, and proceeds, fees, forms, and reports transmitted by agents who sell or collect fees for certain licenses, tags, and permits; and providing for an effective date) and a majority of the committee recommended calendar. The report was signed by Senator Sturgulewski, Chair, and concurred in by Senators Eliason, Kerttula and Kelly.

SENATE BILL NO. 96 is on today's calendar.

SB 96

SENATE BILL NO. 96 (An Act relating to compensation for, penalties against, and proceeds, fees, forms, and reports transmitted by agents who sell or collect fees for certain licenses, tags, and permits; and providing for an effective date) was read the second time.

Senator Sturgulewski moved and asked unanimous consent for the adoption of the Resources Committee Substitute offered on page 703. Without objection, CS FOR SENATE BILL NO. 96 (Resources) (An Act relating to compensation for, penalties against, duties of, and proceeds, fees, forms, and reports transmitted by agents who sell or collect fees for certain licenses, tags, and permits; and providing for an effective date) was adopted.

CS FOR SENATE BILL NO. 96 (Resources) was read the second time.

Senator Halford offered Amendment No. 1:

Page 1, line 6: Delete "compensation for,"

Page 1, lines 7 - 8: Delete ", duties of, and proceeds, fees, forms, and reports transmitted by"

Insert "and duties of"

Page 1, line 9: After "permits;"

Insert "requiring reports and proceeds to be received before compensation is paid to agents who sell certain licenses, tags, and permits; repealing the duties of and compensation for agents who assist in completing forms for interim-use and entry permits;"

Senator Halford moved and asked unanimous consent for the adoption of Amendment No. 1. Without objection, Amendment No. 1 was adopted.

SB 96 cont'd

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 96 (Resources)(title am) (An Act relating to penalties against and duties of agents who sell or collect fees for certain licenses, tags, and permits; requiring reports and proceeds to be received before compensation is paid to agents who sell certain licenses, tags, and permits; repealing the duties of and compensation for agents who assist in completing forms for interim-use and entry permits; and providing for an effective date) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 96 (Resources)(title am) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 96 (Resources)(title am) (An Act relating to penalties against and duties of agents who sell or collect fees for certain licenses, tags, and permits requiring reports and proceeds to be received before compensation is paid to agents who sell certain licenses, tags, and permits; repealing the duties of and compensation for agents who assist in completing forms for interim-use and entry permits; and providing for an effective date) pass the Senate?" The roll was taken with the following result:

CSSB 96 RES(TITLE AM) 3RD

Yeas: 16 Adams, Binkley, Coghill, Duncan,
Eliason, Faiks, Frank, Halford,
Jones, Kelly, Kerttula, Rodey,
Sturgulewski, Szymanski, Uehling,
Zharoff

Nays: 0

Excused: 4 Fahrenkamp, Fischer, Pearce,
Pourchot

and so, CS FOR SENATE BILL NO. 96 (Resources)(title am) passed the Senate.

Senator Halford moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

Senator Sturgulewski gave notice of reconsideration.

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 96 (Resources)

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 compensation for, penalties
7 against, duties of, and proceeds, fees, forms, and
8 reports transmitted by agents who sell or collect
9 fees for certain licenses; tags, and permits; and
10 providing for an effective date."

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

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

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

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

26 (f) Proceeds and reports under (b) of this section shall be
27 transmitted to the commissioner by the last day of the month following
28 the month in which the licenses and tags are sold, unless an alterna-
29 tive reporting schedule has been established by contract.

1 (g) The commissioner may assess a penalty against an agent who
2 does not transmit proceeds within the time allowed under (f) of this
3 section. The penalty is equal to one and one-half percent of the
4 amount of proceeds due. The penalty may be assessed for each month or
5 portion of a month that the proceeds are delinquent. A penalty under
6 this subsection shall be withheld from the agent's compensation under
7 (a)(2) of this section.

8 * Sec. 3. AS 16.05.460 is amended to read:

9 Sec. 16.05.460. COMMISSIONER [OF REVENUE] MAY APPOINT AGENTS.
10 The commissioner [OF REVENUE] may appoint qualified persons as agents
11 to receive applications, issue licenses, and collect license fees
12 under AS 16.05.440 - 16.05.480 [, AND TO ASSIST IN THE COMPLETION OF
13 ANNUAL APPLICATION OR RENEWAL FORMS FOR INTERIM-USE PERMITS AND ENTRY
14 PERMITS ISSUED UNDER AS 16.43].

15 * Sec. 4. AS 16.05.470 is amended by adding new subsections to read:

16 (c) Forms and fees under (a) of this section shall be transmit-
17 ted to the commissioner by the last day of the month following the
18 month in which the fees are collected. The commissioner may grant an
19 extension of not more than 30 days if the agent establishes that

20 (1) failure to grant an extension would impose an excessive
21 financial hardship on the agent;

22 (2) the fees collected by the agent for the period, includ-
23 ing the amount that the agent is authorized to retain, totals less
24 than \$1,000; and

25 (3) the cumulative amount of fees due from the agent,
26 including the fees due for the current period, does not exceed \$1,000.

27 (d) The commissioner may assess a penalty against an agent who
28 does not transmit fees within the time allowed under (c) of this
29 section. The penalty is equal to one and one-half percent of the

1 amount of fees due. The penalty may be assessed for each month or
2 portion of a month that the fees are delinquent.

3 * Sec. 5. AS 16.05.470(b) is repealed.

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