

CHAPTER 29

AN ACT

Relating to the resident sport fishing license fee; and providing for an effective date.

(H.B. 213)

Be it enacted by the Legislature of the State of Alaska:

(1) Resident sport fishing license \$5

Section 1. AS 16.05.340(1) is repealed and re-enacted to read:

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 4, 1963

CHAPTER 30

AN ACT

Relating to introducing into or taking out contraband articles from prisons.

(C.S.S.B. 90)

Be it enacted by the Legislature of the State of Alaska:

Section 1. AS 33.30 is amended by adding a new section to read:

article, as defined by the commissioner, into or upon the grounds of a state prison or state correctional facility; or (2) takes or sends or attempts to take or send from the grounds of a state prison or state correctional facility a contraband article, as defined by the commissioner, is punishable by imprisonment for not more than one year, or by a fine of not more than \$500, or by both.

Sec. 33.30.055. **Contraband Articles into or out of Prisons Prohibited.** A person who, contrary to a rule or regulation promulgated by the commissioner of health and welfare, (1) introduces or attempts to introduce a contraband

Approved April 5, 1963

CHAPTER 31

AN ACT

Relating to the transfer of functions from the Department of Fish and Game to the Department of Revenue under Executive Order No. 17.

(S.B. 157)

Be it enacted by the Legislature of the State of Alaska:

Section 1. AS 16.05.335 is amended to read:

distinguished visitors to Alaska at his discretion for their use in any one 10-day period during their visits to the state. The complimentary license for sport fishing or hunting or both shall be inscribed by the governor with the inclusive dates for its authorized use.

Sec. 16.05.335. **Complimentary Licenses.** The commissioner of revenue shall annually, at the request of the governor, provide him with not to exceed 20 complimentary fishing and hunting licenses, which the governor may distribute to

Sec. 2. AS 16.05.340 is amended to read:

Sec. 16.05.340. **License and Tag Fees.**

Fees for licenses and tags are as follows:

- (1) Resident sport fishing license \$5
 However, the fee is 25 cents for a dependent member of a family upon proof presented by the applicant that the family (A) is obtaining or has obtained assistance during the preceding six months under a state or federal welfare program to aid the indigent, or (B) has an annual income of less than \$800 for the year preceding application.
- (2) Resident hunting license \$ 7
- (3) (A) Resident hunting and trapping license 10
 (B) Resident trapping license 3
- (4) Resident hunting and sport fishing license 12
- (5) Resident hunting, trapping, and sport fishing license 15
 However, the fee is 25 cents for the head of a family or one solely dependent upon himself for support 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 income of less than \$800 for the year preceding application, or (C) has historically been dependent on fish and game for subsistence.
- (6) Visitor's special sport fishing license—valid for a period of 10 days after date of issuance \$ 5
- (7) Nonresident sport fishing license 10
- (8) Nonresident hunting license 10
- (9) Nonresident hunting and sport fishing license 20
 A nonresident may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued to him as provided in (16) of this section. The tag shall be affixed to the animal immediately upon taking and shall remain affixed until the animal is prepared for storage, consumed, or exported.
- (10) Nonresident hunting and trapping license\$100
- (11) Registered guide license... 50

- (12) Assistant guide license\$ 25
- (13) Resident fur dealer and taxidermy license 20
- (14) Nonresident fur dealer and taxidermy license 100
- (15) Fish, fur, or game farming license 5
- (16) Nonresident big game tags:
 Brown or grizzly bear, each 75
 Polar bear, each 150
 Black bear or deer, each 10
 Bison, moose, or sheep, each 50
 Walrus, each 100
 Elk, goats, or caribou, each 25

The commissioner of fish and game may issue without cost a permit to collect fish and game, subject to the limitations and provisions he considers appropriate, for scientific, propagative, or educational purposes. A tag issued but not used for an animal may be used to satisfy the tagging requirement for any other animal of the species named for which the tag fee is of equal or less value.

Sec. 3. AS 16.05.360 is amended to read:

Sec. 16.05.360. Commissioner of Revenue Charged with License Issuance. The commissioner of revenue or his authorized deputies shall issue each license and tag to a qualified person under written application containing reasonable information as required by commissioner. The commissioner shall designate the license and tag form or type. The form or type shall be sufficient to identify and locate the applicant and establish his status as to residency and citizenship. Each application shall be subscribed and sworn to by the applicant before an officer authorized to administer oaths in the state.

Sec. 4. AS 16.05.370 is amended to read:

Sec. 16.05.370. Reports by Licensees. The commissioner of fish and game may require a report to be made by each licensee concerning the time, manner, and place of taking fish and game, the kinds and quantity taken, and other in-

formation helpful in administering the fish and game resources of the state.

Sec. 5. AS 16.05.380 is amended to read:

Sec. 16.05.380. **Commissioner of Revenue May Appoint Agents.** The commissioner of revenue may appoint state employees or other persons to take applications, issue licenses and tags, and collect fees. The commissioner is not liable for defalcation or failure to account for the fees collected by any person so appointed, but he shall require a bond in the sum he considers adequate, conditioned upon faithfully accounting for all money collected. However, the commissioner may waive the bond requirements of an instrumentality of the United States or its agents and employees, when the instrumentality or its agents or employees sell licenses primarily to persons in the armed forces. Each person, upon appointment by the commissioner, may administer oaths on applications for licenses and tags.

Sec. 6. AS 16.05.390 is amended to read:

Sec. 16.05.390. **Fee for Issuance of Licenses and Tags.** A person appointed and authorized by the commissioner of revenue to sell licenses and tags, except a salaried employee of the state, is entitled to keep five per cent of the fee for the issuance of each license or tag, or a fee of 25 cents, whichever is greater. Each person selling licenses or tags shall, as soon as practicable after the last day of each calendar month, transmit the proceeds from the sales, except the amount authorized to be retained, together with a report of the sales to the commissioner for deposit in the fish and game fund or the general fund.

Sec. 7. AS 16.05.450 is amended to read:

Sec. 16.05.450. **Issuance of Licenses.** (a) The commissioner of revenue or his authorized deputy shall issue a license to each qualified person who files a written application containing the reasonable information required by the commissioner together with the required fee. The application shall be simple in form and shall be executed by the applicant or his agent under the penalty of perjury.

(b) An application for a commercial fishing license must include a signed statement on a form furnished by the commissioner of revenue stating, under penalty of perjury, that the applicant has filed a net income tax return due the state for the previous tax year, or, if the applicant did not file an Alaska net income tax return for the previous tax year, that he did not earn income in Alaska during that year. The commissioner shall not reject a license application solely for failure to pay a tax.

Sec. 8. AS 16.05.460 is amended to read:

Sec. 16.05.460. **Commissioner of Revenue May Appoint Deputies.** The commissioner of revenue may appoint qualified persons as his deputies to receive applications, issue licenses, and collect license fees under secs. 440 - 720 of this chapter.

Sec. 9. AS 16.05.470 is amended to read:

Sec. 16.05.470. **Fee for Issuance of Licenses.** A person appointed and authorized by the commissioner of revenue to sell licenses under secs. 440 - 720 of this chapter, except salaried employees of the state, shall retain the sum of five per cent of the fee for the issuance of a license. A deputy shall transmit monthly to the commissioner all fees collected by him, less the authorized commission, together with a full accounting of the fees. The commissioner shall make monthly remittances of the fees collected to the proper state official. The commissioner is not liable for defalcation or failure to account for the fees collected by a deputy, but he shall require a bond in the sum he considers adequate, conditioned upon the faithful accounting of money collected.

Sec. 10. AS 16.05.500 is amended to read:

Sec. 16.05.500. **Revocation of Vessel License.** The commissioner of fish and game may revoke a vessel license for one year from the date of revocation upon a finding that the operation of the vessel tends to result in the impairment, depletion, or destruction of the fishery resources of the state by bringing into or possessing in the state fish taken by means, under conditions, or at times not permitted by the laws of the state. Upon

revocation of the license, the operation of the vessel in the state is unlawful for the purposes covered by secs. 490 - 530 of this chapter.

Sec. 11. AS 16.05.510 is amended to read:

Sec. 16.05.510. **Unlicensed Vessel Unlawful.** Operation without a vessel license of any vessel to which secs. 490 - 530 of this chapter apply is unlawful, whether the absence of a vessel license results from initial failure to purchase or from revocation by the commissioner of fish and game.

Sec. 12. AS 16.05.530 is amended to read:

Sec. 16.05.530. **Annual Renewal of Vessel License.** Upon annual payment of a license fee of \$10 for a resident and \$30 for a nonresident, and filing of the name and address of the owner and operator of the vessel, the name and number of the vessel, a description of the vessel and fishing gear, vessel license number, the area to be fished, and other reasonable information required by the Department of Revenue, the Department of Revenue shall issue a number plate and a vessel license. If the vessel has a number plate, the Department of Revenue shall issue a vessel license and tab designating the year. The tab shall be placed in the space provided on the permanent number plate.

Sec. 13. AS 16.05.940(4) is amended to read:

(4) "commissioner" means the commissioner of fish and game unless specifically provided otherwise;

Sec. 14. AS 16.05.940(5) is amended to read:

(5) "department" means the Department of Fish and Game unless specifically provided otherwise;

Sec. 15. AS 44.25.020 is amended to read:

Sec. 44.25.020. **Duties of Department.** The Department of Revenue shall (1) enforce the tax laws of the state; (2) collect, account for, have custody of, invest, and manage all state funds and all revenues of the state except revenues incidental to a program of licensing and regulation carried on by another state department; except that the Department of Revenue shall issue fish and game licenses, collect fish and game license revenues, and do all other acts incidental to the performance of these functions; (3) register log and cattle brands; and (4) supply necessary clerical and administrative services for the Alcoholic Beverage Control Board.

Sec. 16. AS 16.05.520 is amended to read:

Sec. 16.05.520. **Number Plate.** (a) The vessel license includes a permanent number plate. The number plate shall be accompanied by a tab affixed to it designating the year to be fished. A number plate is not transferable, and it shall be considered a permanent fixture upon the vessel upon which it is originally placed. It shall be securely fastened well forward on the port side in plain sight. On a vessel with a superstructure the plate shall be fastened on the port side of the superstructure. A number plate remains the property of the state. If a permanent number plate is accidentally defaced, mutilated, destroyed, or lost, the person owning or operating the vessel shall immediately apply for and may obtain a duplicate upon furnishing the Department of Revenue with the pertinent facts and a payment of \$2.

(b) If a vessel carrying a number plate is lost, destroyed, or sold, the owner shall immediately report the loss, destruction, or sale to the Department of Revenue.

Approved April 5, 1963

CHAPTER 32

AN ACT

Relating to a mineral industry research program.

(H.B. 106)