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Article 4

Seafood Marketing Assessment on Processors

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15 AAC 116.600. Imposition of seafood marketing assessment

(a) There is imposed an assessment under [AS 16.51.120](#) on the total value paid for seafood products by all processors, except on those transactions excluded from liability for tax under [AS 43.75](#) as provided in [AS 43.75.017](#) , for the calendar year 1982 and each year following until amended or terminated under [AS 16.51.140](#) or [AS 16.51.130](#) . The assessment is on all processors whose value paid for seafood products during a calendar year is at least \$50,000, and is calculated at the rate of .2 percent of the total value paid for the seafood products.

(b) All processors shall file returns under 15 AAC [116.610](#) and shall pay the total assessment due under this chapter on or before March 31 after the close of the calendar year to which the assessment applies.

(c) A processor is liable for the tax under [AS 16.51](#) on the value of a seafood product

processed for a person not licensed under AS 43.75.

(d) A person taking, purchasing, or otherwise acquiring a seafood product that has not been subject to the tax imposed in [AS 16.51](#), who transports the seafood product to a point outside the taxing jurisdiction of the state for sale or processing, is liable for the tax under [AS 16.51](#) on the value of the seafood product.

History: Eff. 12/17/82, Register 84; am 4/20/94, Register 130

Authority: [AS 16.51.120](#)

[AS 43.05.080](#)

[AS 43.05.250](#)

15 AAC 116.610. Filing the return

(a) Each processor shall file a return on a form provided by the department and remit the total amount of the assessment to the department on or before March 31 after the close of the calendar year to which the assessment applies. The information required by the return will include the following:

- (1) name of the taxpayer;
- (2) mailing address;
- (3) federal employer identification number or social security number;
- (4) fisheries business license number;
- (5) year for which tax return is being filed;
- (6) locations of operation and vessel name, if applicable;
- (7) total value paid for seafood products in Alaska during the calendar year for which the return is being filed;
- (8) other information required by the department.

(b) Processors doing business in more than one location shall, on the return, list for each business location the same information required by (a) of this section.

History: Eff. 12/17/82, Register 84

Authority: [AS 16.51.150](#)

[AS 16.51.160](#)

[AS 43.05.080](#)

[AS 43.05.250](#)

[15 AAC 116.620. Extension of time for filing return](#)

(a) Upon a showing of good cause, the department will, in its discretion, grant a reasonable extension of time, not to exceed 180 days in the aggregate, for filing a return. An extension of time for filing a return does not extend the time for the payment of the assessment. An estimated payment must be remitted with the request for an extension along with an explanation showing how the estimate was determined. The estimated payment must be equal to or greater than 90 percent of the actual liability shown on the return ultimately filed within the approved extension period in order to avoid failure-to-pay penalties under [AS 43.05.220](#) (a) and 15 AAC [05.210\(b\)](#) .

(b) The application for an extension of time for filing the return must be in writing and addressed to the department and must contain a full statement of the causes for the delay. It must be filed no later than 15 calendar days before the date the return is due.

(c) If an extension of time for filing the return is granted, the return must be filed before the expiration of the period of extension.

(d) If an application for extension is denied, the return must be filed within 10 calendar days after the date the notice of denial is mailed by the department or 10 calendar days after the March 31 due date, whichever is later.

History: Eff. 12/17/82, Register 84

Authority: [AS 16.51.160](#)

[AS 43.05.080](#)

[15 AAC 116.630. Administration and enforcement](#)

The provisions of [AS 43.05.010](#) - 43.05.290, [AS 43.10.010](#) - 43.10.200 and 15 AAC [05](#) and 15 AAC [10](#), apply to the administration of the assessment imposed by this chapter

and they include the following:

- (1) the confidentiality of tax return information is provided for under [AS 43.05.230](#) ;
- (2) the availability of taxpayer remedies is provided for under [AS 43.05.240](#) and 15 AAC 05.005 - 15 AAC [05.050](#);
- (3) the imposition of penalties for failure to file a return or pay the assessment required by this chapter will be calculated as provided in [AS 43.05.220](#) and 15 AAC [05.200](#) - 15 AAC [05.230](#);
- (4) interest on assessments not timely paid will be calculated under [AS 43.05.225](#) ; and
- (5) the prosecution of criminal violations and the collection of the assessment under this chapter is provided for under [AS 43.10.010](#) .

History: Eff. 12/17/82, Register 84

Authority: [AS 16.51.170](#)

[AS 43.05.080](#)

[15 AAC 116.640. - 15 AAC 116.660](#)

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[15 AAC 116.670. Processors eligible for elections](#)



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+ Article 1 License Officers

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+ **15 AAC 116.010. Appointment of fish and game license vendors**

+ Repealed 3/25/83.

+ **15 AAC 116.011. Appointment of license officer**

+ (a) A person who wishes to be appointed a license officer must apply to the department for appointment on a form prescribed by the department.

(b) Appointment as a license officer is not effective until an applicant has signed and returned a contract and the department has notified the applicant that the contract has been received and accepted. However, a person may be appointed for a temporary period, not to exceed 30 days, by verbal notice which is confirmed in writing from the department, when the appointment is necessary because of the death, incapacity, resignation of a license officer serving an area, or the absence of a license officer for an

area.

✚ **History: Eff. 3/25/83, Register 85**

✚ **Authority: [AS 16.05.380](#)**

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

✚ **15 AAC 116.020. Prohibited licensing**

✚ Repealed 3/25/83.

✚ **15 AAC 116.021. Qualifications for appointment as a license officer**

✚ (a) A natural person may apply for appointment as a license officer, if that person is at least 18 years of age. A business entity may apply for appointment, if the person operating the business has obtained an Alaska business license.

(b) If an applicant is a business entity, the applicant must designate an individual who is employed by the applicant as the person who will be responsible for carrying out the duties of a license officer. For each business entity applicant, the department will not appoint more than one license officer at each store or other site of business of the applicant. Additional persons, however, may be authorized to issue licenses under 15 AAC [116.050](#).

(c) The department will, in its discretion, deny appointment to any person who has failed to perform the duties of a license officer in accordance with the terms of a contract of appointment at any time during the preceding three years.

(d) The department will, in its discretion, deny appointment upon a finding that a particular area or locale is adequately served by existing license officers and that appointment of an additional license officer would not benefit the public. If the department denies an applicant appointment under this subsection, the department will advise the applicant in writing of its decision and will list the name and address of each license officer in the area or locale of the applicant.

(e) A person who has been convicted of a felony within the preceding five years will not be appointed as a license officer.

✚ **History: Eff. 3/25/83, Register 85**

✚ **Authority: [AS 16.05.380](#)**

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

✚ **15 AAC 116.030. Obligations and duties of license officers**

✚ (a) Each license officer must enter into a contract of appointment with the department before commencing duties as a license officer. The contract must be on a form provided by the department and must state

(1) the term of the appointment, not to exceed three years;

(2) the class or classes of licenses the license officer is authorized to sell;

(3) the reporting and accounting period and other reporting and accounting obligations of the license officer;

(4) the right of the department to audit or examine the books and inventory of the license officer;

(5) the duty of the license officer to account for all money collected and the right of the department to receive from the license officer all money except the license officer's commission;

(6) the duty of the license officer or the officer's employees to administer oaths to license applicants in the manner prescribed by the department; and

(7) any other matters specified in 15 AAC [116.010](#) - 15 AAC [116.310](#), or other matters which the department determines to be appropriate.

(b) Except as provided in (c) of this section, the department will provide a blanket bond applicable to all license officers in an amount of not less than \$2,000. Each license officer must complete all forms necessary to obtain coverage under this bond.

(c) If, based on the past or expected performance of a license officer, the department determines that the amount of money which a license officer will handle during the term

of his appointment is more than four times the amount of the bond coverage provided under (b) of this section, and that the interests of the state are not otherwise adequately protected, the department will, in its discretion, require the applicant to post a bond in an amount established by the department.

(d) Where the amount of money a license officer handles during the term of his appointment justifies such action, the department will, in its discretion, require that the license officer establish a bank account to which the license officer must deposit all fees collected for licenses. Alternatively, the department will, in its discretion, require that the license officer deposit fees collected for licenses directly to an account established by the department for that purpose. If the department imposes these requirements on a license officer, the requirements will be stated in the contract or in an amended contract between the department and the license officer.

(e) If a license officer fails to perform duties and obligations in strict accordance with the terms of the contract, the department will, in its discretion, give to the license officer notice of the officer's noncompliance and a demand for compliance. If the license officer fails to remedy the noncompliance after notice and demand, the department will, in its discretion, terminate the officer's appointment in accordance with 15 AAC [116.060](#) and, in addition, take any other action necessary to protect the state's interests, including commencement of suit.

✚ **History:** Eff. 3/25/83, Register 85

✚ **Authority:** [AS 16.05.360](#)

[AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

✚ **15 AAC 116.040. Compensation**

✚ (a) In addition to the amount a license officer is authorized to retain under [AS 16.05.390](#) (a)(1), a license officer is entitled to compensation at the rate of \$1 for each license and each tag sold, except commercial fishing licenses sold under [AS 16.05.440](#) - 16.05.480. However, if a license officer sells less than 50 licenses and tags during the year, the officer is entitled to receive \$50 compensation for that year.

(b) The department will pay license officers quarterly, except that no payment will be made unless the cumulative amount due to a license officer under [AS 16.05.390](#) (a)(2) equals or exceeds \$50 after the deductions authorized by (d) of this section. If a license officer's cumulative sales are less than 50 licenses and tags on December 31, the department will pay the license officer \$50 compensation for the calendar year.

(c) Calculation of the compensation due a license officer under [AS 16.05.390](#) will be based only on reports and proceeds actually received by the department by the end of each calendar quarter. Compensation for licenses sold in one quarter and reported the following quarter must be included in the calculation for the current quarter. However, if a license officer reports licenses sold in one calendar year on the next calendar year report, and the officer's total sales for the previous year were less than 50 licenses and tags, the difference between 50 and the number of licenses and tags actually sold will be deducted from the year reported and added to the previous year's sales. This will be done to ensure that the license officer is not paid twice for these sales.

(d) If the department determines that the license officer has submitted to the department less than the full amount due, the department, before making payment of the compensation authorized by [AS 16.05.390](#) (a)(2) and this section, will deduct from the compensation the difference between the amount due and the amount submitted to the department. The department will inform the license officer, in writing, of all deductions.

✚ **History: Eff. 3/25/83, Register 85**



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[15 AAC 116.010. Appointment of fish and game license vendors](#)

Repealed 3/25/83.

[15 AAC 116.011. Appointment of license officer](#)

(a) A person who wishes to be appointed a license officer must apply to the department for appointment on a form prescribed by the department.

(b) Appointment as a license officer is not effective until an applicant has signed and returned a contract and the department has notified the applicant that the contract has been received and accepted. However, a person may be appointed for a temporary period, not to exceed 30 days, by verbal notice which is confirmed in writing from the department, when the appointment is necessary because of the death, incapacity, resignation of a license officer serving an area, or the absence of a license officer for an area.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

[15 AAC 116.020. Prohibited licensing](#)

Repealed 3/25/83.

[15 AAC 116.021. Qualifications for appointment as a license officer](#)

(a) A natural person may apply for appointment as a license officer, if that person is at least 18 years of age. A business entity may apply for appointment, if the person operating the business has obtained an Alaska business license.

(b) If an applicant is a business entity, the applicant must designate an individual who is employed by the applicant as the person who will be responsible for carrying out the

duties of a license officer. For each business entity applicant, the department will not appoint more than one license officer at each store or other site of business of the applicant. Additional persons, however, may be authorized to issue licenses under 15 AAC [116.050](#).

(c) The department will, in its discretion, deny appointment to any person who has failed to perform the duties of a license officer in accordance with the terms of a contract of appointment at any time during the preceding three years.

(d) The department will, in its discretion, deny appointment upon a finding that a particular area or locale is adequately served by existing license officers and that appointment of an additional license officer would not benefit the public. If the department denies an applicant appointment under this subsection, the department will advise the applicant in writing of its decision and will list the name and address of each license officer in the area or locale of the applicant.

(e) A person who has been convicted of a felony within the preceding five years will not be appointed as a license officer.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

15 AAC 116.030. Obligations and duties of license officers

(a) Each license officer must enter into a contract of appointment with the department before commencing duties as a license officer. The contract must be on a form provided by the department and must state

(1) the term of the appointment, not to exceed three years;

(2) the class or classes of licenses the license officer is authorized to sell;

(3) the reporting and accounting period and other reporting and accounting obligations of the license officer;

(4) the right of the department to audit or examine the books and inventory of the license officer;

(5) the duty of the license officer to account for all money collected and the right of the department to receive from the license officer all money except the license officer's commission;

(6) the duty of the license officer or the officer's employees to administer oaths to license applicants in the manner prescribed by the department; and

(7) any other matters specified in 15 AAC [116.010](#) - 15 AAC [116.310](#), or other matters which the department determines to be appropriate.

(b) Except as provided in (c) of this section, the department will provide a blanket bond applicable to all license officers in an amount of not less than \$2,000. Each license officer must complete all forms necessary to obtain coverage under this bond.

(c) If, based on the past or expected performance of a license officer, the department determines that the amount of money which a license officer will handle during the term of his appointment is more than four times the amount of the bond coverage provided under (b) of this section, and that the interests of the state are not otherwise adequately protected, the department will, in its discretion, require the applicant to post a bond in an amount established by the department.

(d) Where the amount of money a license officer handles during the term of his appointment justifies such action, the department will, in its discretion, require that the license officer establish a bank account to which the license officer must deposit all fees collected for licenses. Alternatively, the department will, in its discretion, require that the license officer deposit fees collected for licenses directly to an account established by the department for that purpose. If the department imposes these requirements on a license officer, the requirements will be stated in the contract or in an amended contract between the department and the license officer.

(e) If a license officer fails to perform duties and obligations in strict accordance with the terms of the contract, the department will, in its discretion, give to the license officer notice of the officer's noncompliance and a demand for compliance. If the license officer fails to remedy the noncompliance after notice and demand, the department will, in its discretion, terminate the officer's appointment in accordance with 15 AAC [116.060](#) and, in addition, take any other action necessary to protect the state's interests, including commencement of suit.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.360](#)

[AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

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(b) The department will pay license officers quarterly, except that no payment will be made unless the cumulative amount due to a license officer under [AS 16.05.390](#) (a)(2) equals or exceeds \$50 after the deductions authorized by (d) of this section. If a license officer's cumulative sales are less than 50 licenses and tags on December 31, the department will pay the license officer \$50 compensation for the calendar year.

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History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

[15 AAC 116.020. Prohibited licensing](#)

Repealed 3/25/83.

[15 AAC 116.021. Qualifications for appointment as a license officer](#)

(a) A natural person may apply for appointment as a license officer, if that person is at least 18 years of age. A business entity may apply for appointment, if the person operating the business has obtained an Alaska business license.

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(c) The department will, in its discretion, deny appointment to any person who has failed to perform the duties of a license officer in accordance with the terms of a contract of appointment at any time during the preceding three years.

(d) The department will, in its discretion, deny appointment upon a finding that a particular area or locale is adequately served by existing license officers and that appointment of an additional license officer would not benefit the public. If the department denies an applicant appointment under this subsection, the department will advise the applicant in writing of its decision and will list the name and address of each license officer in the area or locale of the applicant.

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History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

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(2) the class or classes of licenses the license officer is authorized to sell;

(3) the reporting and accounting period and other reporting and accounting obligations of the license officer;

(4) the right of the department to audit or examine the books and inventory of the license officer;

(5) the duty of the license officer to account for all money collected and the right of the

department to receive from the license officer all money except the license officer's commission;

(6) the duty of the license officer or the officer's employees to administer oaths to license applicants in the manner prescribed by the department; and

(7) any other matters specified in 15 AAC [116.010](#) - 15 AAC [116.310](#), or other matters which the department determines to be appropriate.

(b) Except as provided in (c) of this section, the department will provide a blanket bond applicable to all license officers in an amount of not less than \$2,000. Each license officer must complete all forms necessary to obtain coverage under this bond.

(c) If, based on the past or expected performance of a license officer, the department determines that the amount of money which a license officer will handle during the term of his appointment is more than four times the amount of the bond coverage provided under (b) of this section, and that the interests of the state are not otherwise adequately protected, the department will, in its discretion, require the applicant to post a bond in an amount established by the department.

(d) Where the amount of money a license officer handles during the term of his appointment justifies such action, the department will, in its discretion, require that the license officer establish a bank account to which the license officer must deposit all fees collected for licenses. Alternatively, the department will, in its discretion, require that the license officer deposit fees collected for licenses directly to an account established by the department for that purpose. If the department imposes these requirements on a license officer, the requirements will be stated in the contract or in an amended contract between the department and the license officer.

(e) If a license officer fails to perform duties and obligations in strict accordance with the terms of the contract, the department will, in its discretion, give to the license officer notice of the officer's noncompliance and a demand for compliance. If the license officer fails to remedy the noncompliance after notice and demand, the department will, in its discretion, terminate the officer's appointment in accordance with 15 AAC [116.060](#) and, in addition, take any other action necessary to protect the state's interests, including commencement of suit.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.360](#)

[AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

15 AAC 116.040. Compensation

(a) In addition to the amount a license officer is authorized to retain under [AS 16.05.390](#) (a)(1), a license officer is entitled to compensation at the rate of \$1 for each license and each tag sold, except commercial fishing licenses sold under [AS 16.05.440](#) - 16.05.480. However, if a license officer sells less than 50 licenses and tags during the year, the officer is entitled to receive \$50 compensation for that year.

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Authority: [AS 16.05.380](#)

[AS 16.05.390](#)

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15 AAC 116.050. Employees of license officers

(a) Employees of a license officer may issue licenses under the authority of the license officer if the employer-license officer complies with the requirements of (b) of this section. An employee who is authorized to issue licenses under (b) of this section has all the rights, duties, obligations, and authority of a license officer except as limited by (c) of this section or as limited by the employer.

(b) An employer-license officer shall submit to the department, on a form provided by the department, the name of an employee who will be issuing licenses under the authority of the employer-license officer. A separate form must be submitted for each employee who will be issuing licenses. The form must be signed by both the employer-license officer and the employee. Any failure or default by the employee, including failure to account for all money, will be considered a failure or default by the employer-license officer, and the department will, in its discretion, take action against the employee, the employer-license officer, or both.

(c) The employer-license officer is responsible for the submission of all reports and the accounting of all money collected by the employee. The compensation authorized by [AS 16.05.390](#) (a) will be paid to the employer-license officer. The employee will have no right or interest in the compensation. Upon the termination of the employee's employment, or at the request of the employer-license officer, the employee's licensing authority will immediately terminate. Employees shall sign license applications with the name of their supervising license officer followed by a notation which states the license is issued "by" the employee, who shall identify himself or herself either by full name or by complete initials.



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[15 AAC 116.021. Qualifications for appointment as a license officer](#)

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(b) If an applicant is a business entity, the applicant must designate an individual who is employed by the applicant as the person who will be responsible for carrying out the duties of a license officer. For each business entity applicant, the department will not appoint more than one license officer at each store or other site of business of the applicant. Additional persons, however, may be authorized to issue licenses under 15 AAC [116.050](#).

(c) The department will, in its discretion, deny appointment to any person who has failed to perform the duties of a license officer in accordance with the terms of a contract of appointment at any time during the preceding three years.

(d) The department will, in its discretion, deny appointment upon a finding that a particular area or locale is adequately served by existing license officers and that appointment of an additional license officer would not benefit the public. If the department denies an applicant appointment under this subsection, the department will advise the applicant in writing of its decision and will list the name and address of each license officer in the area or locale of the applicant.

(e) A person who has been convicted of a felony within the preceding five years will not be appointed as a license officer.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

15 AAC 116.030. Obligations and duties of license officers

(a) Each license officer must enter into a contract of appointment with the department before commencing duties as a license officer. The contract must be on a form provided by the department and must state

(1) the term of the appointment, not to exceed three years;

(2) the class or classes of licenses the license officer is authorized to sell;

(3) the reporting and accounting period and other reporting and accounting obligations of the license officer;

(4) the right of the department to audit or examine the books and inventory of the license officer;

(5) the duty of the license officer to account for all money collected and the right of the department to receive from the license officer all money except the license officer's commission;

(6) the duty of the license officer or the officer's employees to administer oaths to license applicants in the manner prescribed by the department; and

(7) any other matters specified in 15 AAC [116.010](#) - 15 AAC [116.310](#), or other matters which the department determines to be appropriate.

(b) Except as provided in (c) of this section, the department will provide a blanket bond applicable to all license officers in an amount of not less than \$2,000. Each license officer must complete all forms necessary to obtain coverage under this bond.

(c) If, based on the past or expected performance of a license officer, the department determines that the amount of money which a license officer will handle during the term of his appointment is more than four times the amount of the bond coverage provided under (b) of this section, and that the interests of the state are not otherwise adequately protected, the department will, in its discretion, require the applicant to post a bond in an amount established by the department.

(d) Where the amount of money a license officer handles during the term of his appointment justifies such action, the department will, in its discretion, require that the license officer establish a bank account to which the license officer must deposit all fees collected for licenses. Alternatively, the department will, in its discretion, require that the

license officer deposit fees collected for licenses directly to an account established by the department for that purpose. If the department imposes these requirements on a license officer, the requirements will be stated in the contract or in an amended contract between the department and the license officer.

(e) If a license officer fails to perform duties and obligations in strict accordance with the terms of the contract, the department will, in its discretion, give to the license officer notice of the officer's noncompliance and a demand for compliance. If the license officer fails to remedy the noncompliance after notice and demand, the department will, in its discretion, terminate the officer's appointment in accordance with 15 AAC [116.060](#) and, in addition, take any other action necessary to protect the state's interests, including commencement of suit.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.360](#)

[AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

15 AAC 116.040. Compensation

(a) In addition to the amount a license officer is authorized to retain under [AS 16.05.390](#) (a)(1), a license officer is entitled to compensation at the rate of \$1 for each license and each tag sold, except commercial fishing licenses sold under [AS 16.05.440](#) - 16.05.480. However, if a license officer sells less than 50 licenses and tags during the year, the officer is entitled to receive \$50 compensation for that year.

(b) The department will pay license officers quarterly, except that no payment will be made unless the cumulative amount due to a license officer under [AS 16.05.390](#) (a)(2) equals or exceeds \$50 after the deductions authorized by (d) of this section. If a license officer's cumulative sales are less than 50 licenses and tags on December 31, the department will pay the license officer \$50 compensation for the calendar year.

(c) Calculation of the compensation due a license officer under [AS 16.05.390](#) will be based only on reports and proceeds actually received by the department by the end of each calendar quarter. Compensation for licenses sold in one quarter and reported the

following quarter must be included in the calculation for the current quarter. However, if a license officer reports licenses sold in one calendar year on the next calendar year report, and the officer's total sales for the previous year were less than 50 licenses and tags, the difference between 50 and the number of licenses and tags actually sold will be deducted from the year reported and added to the previous year's sales. This will be done to ensure that the license officer is not paid twice for these sales.

(d) If the department determines that the license officer has submitted to the department less than the full amount due, the department, before making payment of the compensation authorized by [AS 16.05.390](#) (a)(2) and this section, will deduct from the compensation the difference between the amount due and the amount submitted to the department. The department will inform the license officer, in writing, of all deductions.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.050. Employees of license officers

(a) Employees of a license officer may issue licenses under the authority of the license officer if the employer-license officer complies with the requirements of (b) of this section. An employee who is authorized to issue licenses under (b) of this section has all the rights, duties, obligations, and authority of a license officer except as limited by (c) of this section or as limited by the employer.

(b) An employer-license officer shall submit to the department, on a form provided by the department, the name of an employee who will be issuing licenses under the authority of the employer-license officer. A separate form must be submitted for each employee who will be issuing licenses. The form must be signed by both the employer-license officer and the employee. Any failure or default by the employee, including failure to account for all money, will be considered a failure or default by the employer-license officer, and the department will, in its discretion, take action against the employee, the employer-license officer, or both.

(c) The employer-license officer is responsible for the submission of all reports and the accounting of all money collected by the employee. The compensation authorized by [AS 16.05.390](#) (a) will be paid to the employer-license officer. The employee will have no right or interest in the compensation. Upon the termination of the employee's employment, or at the request of the employer-license officer, the employee's licensing authority will immediately terminate. Employees shall sign license applications with the name of their supervising license officer followed by a notation which states the license is issued "by" the employee, who shall identify himself or herself either by full name or by complete initials.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.060. Suspension or revocation of license officer appointment

(a) If the department intends to suspend or revoke a license officer appointment issued under this chapter, the department will give the license officer 30 days' notice of the intended suspension or revocation. If the basis for suspension or revocation still exists on the 30th day, the department will notify the license officer of immediate suspension or revocation, unless an appeal under (d) of this section has been timely filed by the license officer. Upon suspension or revocation of an appointment, all money collected, except the license officer's commission, is due and payable as provided in 15 AAC [116.070](#).

(b) The basis for suspension or revocation of a license officer appointment may include any of the following circumstances:

(1) notice of bond cancellation is received by the department;

(2) a discrepancy exists between the license officer's records or returns required to be filed with the department and the department's audit or examination of the license officer's books and inventory;

(3) the license officer fails to collect fees or fails to pay to the department money due to the department;

(4) a renewal application is not timely filed;

(5) the license officer fails to meet any of the conditions specified or required by [AS 16.05](#), 15 AAC [116](#), or by the contract itself; or

(6) the license officer knowingly or wilfully issues, or causes to be issued, a license or tag to an individual who has attempted to take or has taken an animal or fish for which the license or tag should have been acquired before the hunting or fishing activity.

(c) When a license officer appointment is revoked under this section, the license officer may not apply for a new appointment for three years after the date of revocation. The date of suspension or revocation is the date on which the notice of immediate suspension or revocation is issued. If a formal hearing has been requested, the date of suspension or revocation is the date of the hearing decision.

(d) If a person is aggrieved by a notice of intended suspension or revocation, that person may appeal to the department and may request a formal hearing under the procedures set out in [AS 43.05.240](#) (c) and 15 AAC [05.001](#), 15 AAC [05.010\(a\)](#) (2) - (4) and (b), 15 AAC [05.030\(a\)](#) and (d) - (p), 15 AAC [05.035](#) - 15 AAC [05.040](#), and 15 AAC [05.050\(c\)](#) . The appeal must be submitted to the department in person or by mail within 10 days after the date of mailing the notice of intended revocation by the department. Failure to request a hearing within the time provided in this section waives the license officer's right to a hearing.

(e) Upon receipt of a timely appeal under (d) of this section, the department will schedule a formal hearing to be held within 10 working days after the receipt of the appeal form. If the department determines that a correction is warranted, the department will make the correction. A written decision concerning the appeal will be issued within 10 working days after the formal hearing has been concluded.



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[15 AAC 116.021. Qualifications for appointment as a license officer](#)

(a) A natural person may apply for appointment as a license officer, if that person is at least 18 years of age. A business entity may apply for appointment, if the person operating the business has obtained an Alaska business license.

(b) If an applicant is a business entity, the applicant must designate an individual who is employed by the applicant as the person who will be responsible for carrying out the duties of a license officer. For each business entity applicant, the department will not appoint more than one license officer at each store or other site of business of the applicant. Additional persons, however, may be authorized to issue licenses under 15 AAC [116.050](#).

(c) The department will, in its discretion, deny appointment to any person who has failed to perform the duties of a license officer in accordance with the terms of a contract of appointment at any time during the preceding three years.

(d) The department will, in its discretion, deny appointment upon a finding that a particular area or locale is adequately served by existing license officers and that appointment of an additional license officer would not benefit the public. If the department denies an applicant appointment under this subsection, the department will advise the applicant in writing of its decision and will list the name and address of each license officer in the area or locale of the applicant.

(e) A person who has been convicted of a felony within the preceding five years will not be appointed as a license officer.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

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[AS 44.25.020](#) (2)

[15 AAC 116.030. Obligations and duties of license officers](#)

(a) Each license officer must enter into a contract of appointment with the department before commencing duties as a license officer. The contract must be on a form provided by the department and must state

(1) the term of the appointment, not to exceed three years;

(2) the class or classes of licenses the license officer is authorized to sell;

(3) the reporting and accounting period and other reporting and accounting obligations of the license officer;

(4) the right of the department to audit or examine the books and inventory of the license officer;

(5) the duty of the license officer to account for all money collected and the right of the department to receive from the license officer all money except the license officer's commission;

(6) the duty of the license officer or the officer's employees to administer oaths to license applicants in the manner prescribed by the department; and

(7) any other matters specified in 15 AAC [116.010](#) - 15 AAC [116.310](#), or other matters which the department determines to be appropriate.

(b) Except as provided in (c) of this section, the department will provide a blanket bond applicable to all license officers in an amount of not less than \$2,000. Each license officer must complete all forms necessary to obtain coverage under this bond.

(c) If, based on the past or expected performance of a license officer, the department determines that the amount of money which a license officer will handle during the term of his appointment is more than four times the amount of the bond coverage provided under (b) of this section, and that the interests of the state are not otherwise adequately protected, the department will, in its discretion, require the applicant to post a bond in an amount established by the department.

(d) Where the amount of money a license officer handles during the term of his appointment justifies such action, the department will, in its discretion, require that the license officer establish a bank account to which the license officer must deposit all fees collected for licenses. Alternatively, the department will, in its discretion, require that the license officer deposit fees collected for licenses directly to an account established by the department for that purpose. If the department imposes these requirements on a license officer, the requirements will be stated in the contract or in an amended contract between the department and the license officer.

(e) If a license officer fails to perform duties and obligations in strict accordance with the terms of the contract, the department will, in its discretion, give to the license officer notice of the officer's noncompliance and a demand for compliance. If the license officer fails to remedy the noncompliance after notice and demand, the department will, in its discretion, terminate the officer's appointment in accordance with 15 AAC [116.060](#) and, in addition, take any other action necessary to protect the state's interests, including commencement of suit.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.360](#)

[AS 16.05.380](#)

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[AS 43.05.080](#)

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(b) The department will pay license officers quarterly, except that no payment will be made unless the cumulative amount due to a license officer under [AS 16.05.390](#) (a)(2) equals or exceeds \$50 after the deductions authorized by (d) of this section. If a license officer's cumulative sales are less than 50 licenses and tags on December 31, the department will pay the license officer \$50 compensation for the calendar year.

(c) Calculation of the compensation due a license officer under [AS 16.05.390](#) will be based only on reports and proceeds actually received by the department by the end of each calendar quarter. Compensation for licenses sold in one quarter and reported the following quarter must be included in the calculation for the current quarter. However, if a license officer reports licenses sold in one calendar year on the next calendar year report, and the officer's total sales for the previous year were less than 50 licenses and tags, the difference between 50 and the number of licenses and tags actually sold will be

deducted from the year reported and added to the previous year's sales. This will be done to ensure that the license officer is not paid twice for these sales.

(d) If the department determines that the license officer has submitted to the department less than the full amount due, the department, before making payment of the compensation authorized by [AS 16.05.390](#) (a)(2) and this section, will deduct from the compensation the difference between the amount due and the amount submitted to the department. The department will inform the license officer, in writing, of all deductions.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

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15 AAC 116.050. Employees of license officers

(a) Employees of a license officer may issue licenses under the authority of the license officer if the employer-license officer complies with the requirements of (b) of this section. An employee who is authorized to issue licenses under (b) of this section has all the rights, duties, obligations, and authority of a license officer except as limited by (c) of this section or as limited by the employer.

(b) An employer-license officer shall submit to the department, on a form provided by the department, the name of an employee who will be issuing licenses under the authority of the employer-license officer. A separate form must be submitted for each employee who will be issuing licenses. The form must be signed by both the employer-license officer and the employee. Any failure or default by the employee, including failure to account for all money, will be considered a failure or default by the employer-license officer, and the department will, in its discretion, take action against the employee, the employer-license officer, or both.

(c) The employer-license officer is responsible for the submission of all reports and the accounting of all money collected by the employee. The compensation authorized by [AS 16.05.390](#) (a) will be paid to the employer-license officer. The employee will have no right or interest in the compensation. Upon the termination of the employee's

employment, or at the request of the employer-license officer, the employee's licensing authority will immediately terminate. Employees shall sign license applications with the name of their supervising license officer followed by a notation which states the license is issued "by" the employee, who shall identify himself or herself either by full name or by complete initials.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.060. Suspension or revocation of license officer appointment

(a) If the department intends to suspend or revoke a license officer appointment issued under this chapter, the department will give the license officer 30 days' notice of the intended suspension or revocation. If the basis for suspension or revocation still exists on the 30th day, the department will notify the license officer of immediate suspension or revocation, unless an appeal under (d) of this section has been timely filed by the license officer. Upon suspension or revocation of an appointment, all money collected, except the license officer's commission, is due and payable as provided in 15 AAC [116.070](#).

(b) The basis for suspension or revocation of a license officer appointment may include any of the following circumstances:

(1) notice of bond cancellation is received by the department;

(2) a discrepancy exists between the license officer's records or returns required to be filed with the department and the department's audit or examination of the license officer's books and inventory;

(3) the license officer fails to collect fees or fails to pay to the department money due to the department;

(4) a renewal application is not timely filed;

(5) the license officer fails to meet any of the conditions specified or required by [AS 16.05](#), 15 AAC [116](#), or by the contract itself; or

(6) the license officer knowingly or wilfully issues, or causes to be issued, a license or tag to an individual who has attempted to take or has taken an animal or fish for which the license or tag should have been acquired before the hunting or fishing activity.

(c) When a license officer appointment is revoked under this section, the license officer may not apply for a new appointment for three years after the date of revocation. The date of suspension or revocation is the date on which the notice of immediate suspension or revocation is issued. If a formal hearing has been requested, the date of suspension or revocation is the date of the hearing decision.

(d) If a person is aggrieved by a notice of intended suspension or revocation, that person may appeal to the department and may request a formal hearing under the procedures set out in [AS 43.05.240](#) (c) and 15 AAC [05.001](#), 15 AAC [05.010\(a\)](#) (2) - (4) and (b), 15 AAC [05.030\(a\)](#) and (d) - (p), 15 AAC [05.035](#) - 15 AAC [05.040](#), and 15 AAC [05.050\(c\)](#) . The appeal must be submitted to the department in person or by mail within 10 days after the date of mailing the notice of intended revocation by the department. Failure to request a hearing within the time provided in this section waives the license officer's right to a hearing.

(e) Upon receipt of a timely appeal under (d) of this section, the department will schedule a formal hearing to be held within 10 working days after the receipt of the appeal form. If the department determines that a correction is warranted, the department will make the correction. A written decision concerning the appeal will be issued within 10 working days after the formal hearing has been concluded.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

[AS 16.05.390](#)

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[15 AAC 116.030. Obligations and duties of license officers](#)

(a) Each license officer must enter into a contract of appointment with the department before commencing duties as a license officer. The contract must be on a form provided by the department and must state

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(5) the duty of the license officer to account for all money collected and the right of the department to receive from the license officer all money except the license officer's commission;

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(7) any other matters specified in 15 AAC [116.010](#) - 15 AAC [116.310](#), or other matters which the department determines to be appropriate.

(b) Except as provided in (c) of this section, the department will provide a blanket bond applicable to all license officers in an amount of not less than \$2,000. Each license officer must complete all forms necessary to obtain coverage under this bond.

(c) If, based on the past or expected performance of a license officer, the department determines that the amount of money which a license officer will handle during the term of his appointment is more than four times the amount of the bond coverage provided under (b) of this section, and that the interests of the state are not otherwise adequately protected, the department will, in its discretion, require the applicant to post a bond in an amount established by the department.

(d) Where the amount of money a license officer handles during the term of his appointment justifies such action, the department will, in its discretion, require that the license officer establish a bank account to which the license officer must deposit all fees

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(e) If a license officer fails to perform duties and obligations in strict accordance with the terms of the contract, the department will, in its discretion, give to the license officer notice of the officer's noncompliance and a demand for compliance. If the license officer fails to remedy the noncompliance after notice and demand, the department will, in its discretion, terminate the officer's appointment in accordance with 15 AAC [116.060](#) and, in addition, take any other action necessary to protect the state's interests, including commencement of suit.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.360](#)

[AS 16.05.380](#)

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(d) If the department determines that the license officer has submitted to the department less than the full amount due, the department, before making payment of the compensation authorized by [AS 16.05.390](#) (a)(2) and this section, will deduct from the compensation the difference between the amount due and the amount submitted to the department. The department will inform the license officer, in writing, of all deductions.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

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[AS 43.05.080](#)

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(b) An employer-license officer shall submit to the department, on a form provided by the department, the name of an employee who will be issuing licenses under the authority of the employer-license officer. A separate form must be submitted for each employee who will be issuing licenses. The form must be signed by both the employer-license officer and the employee. Any failure or default by the employee, including failure to account for all money, will be considered a failure or default by the employer-license officer, and the department will, in its discretion, take action against the employee, the employer-license officer, or both.

(c) The employer-license officer is responsible for the submission of all reports and the accounting of all money collected by the employee. The compensation authorized by [AS 16.05.390](#) (a) will be paid to the employer-license officer. The employee will have no right or interest in the compensation. Upon the termination of the employee's employment, or at the request of the employer-license officer, the employee's licensing authority will immediately terminate. Employees shall sign license applications with the name of their supervising license officer followed by a notation which states the license is issued "by" the employee, who shall identify himself or herself either by full name or by complete initials.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

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[AS 44.25.020](#)

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(b) The basis for suspension or revocation of a license officer appointment may include any of the following circumstances:

(1) notice of bond cancellation is received by the department;

(2) a discrepancy exists between the license officer's records or returns required to be filed with the department and the department's audit or examination of the license officer's books and inventory;

(3) the license officer fails to collect fees or fails to pay to the department money due to the department;

(4) a renewal application is not timely filed;

(5) the license officer fails to meet any of the conditions specified or required by [AS 16.05](#), 15 AAC [116](#), or by the contract itself; or

(6) the license officer knowingly or wilfully issues, or causes to be issued, a license or tag to an individual who has attempted to take or has taken an animal or fish for which the license or tag should have been acquired before the hunting or fishing activity.

(c) When a license officer appointment is revoked under this section, the license officer may not apply for a new appointment for three years after the date of revocation. The date of suspension or revocation is the date on which the notice of immediate suspension or revocation is issued. If a formal hearing has been requested, the date of suspension or revocation is the date of the hearing decision.

(d) If a person is aggrieved by a notice of intended suspension or revocation, that person may appeal to the department and may request a formal hearing under the procedures set out in [AS 43.05.240](#) (c) and 15 AAC [05.001](#), 15 AAC [05.010\(a\)](#) (2) - (4) and (b), 15 AAC [05.030\(a\)](#) and (d) - (p), 15 AAC [05.035](#) - 15 AAC [05.040](#), and 15 AAC [05.050\(c\)](#) . The appeal must be submitted to the department in person or by mail within 10 days after the date of mailing the notice of intended revocation by the department. Failure to request a hearing within the time provided in this section waives the license officer's right to a hearing.

(e) Upon receipt of a timely appeal under (d) of this section, the department will schedule a formal hearing to be held within 10 working days after the receipt of the appeal form. If the department determines that a correction is warranted, the department will make the correction. A written decision concerning the appeal will be issued within 10 working days after the formal hearing has been concluded.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

[15 AAC 116.070. Fees, reports, and license inventory due when license officer appointment expired, suspended, or revoked](#)

The reporting and accounting obligations of the license officer, all money collected, except the license officer's commission, and all license inventory are due by the last day of the month following the month during which the license officer appointment expired, was suspended, or was revoked.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

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[15 AAC 116.040. Compensation](#)

(a) In addition to the amount a license officer is authorized to retain under [AS 16.05.390](#) (a)(1), a license officer is entitled to compensation at the rate of \$1 for each license and each tag sold, except commercial fishing licenses sold under [AS 16.05.440](#) - 16.05.480. However, if a license officer sells less than 50 licenses and tags during the year, the officer is entitled to receive \$50 compensation for that year.

(b) The department will pay license officers quarterly, except that no payment will be made unless the cumulative amount due to a license officer under [AS 16.05.390](#) (a)(2) equals or exceeds \$50 after the deductions authorized by (d) of this section. If a license officer's cumulative sales are less than 50 licenses and tags on December 31, the department will pay the license officer \$50 compensation for the calendar year.

(c) Calculation of the compensation due a license officer under [AS 16.05.390](#) will be based only on reports and proceeds actually received by the department by the end of each calendar quarter. Compensation for licenses sold in one quarter and reported the following quarter must be included in the calculation for the current quarter. However, if a license officer reports licenses sold in one calendar year on the next calendar year report, and the officer's total sales for the previous year were less than 50 licenses and tags, the difference between 50 and the number of licenses and tags actually sold will be deducted from the year reported and added to the previous year's sales. This will be done to ensure that the license officer is not paid twice for these sales.

(d) If the department determines that the license officer has submitted to the department less than the full amount due, the department, before making payment of the compensation authorized by [AS 16.05.390](#) (a)(2) and this section, will deduct from the compensation the difference between the amount due and the amount submitted to the department. The department will inform the license officer, in writing, of all deductions.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.050. Employees of license officers

(a) Employees of a license officer may issue licenses under the authority of the license officer if the employer-license officer complies with the requirements of (b) of this section. An employee who is authorized to issue licenses under (b) of this section has all the rights, duties, obligations, and authority of a license officer except as limited by (c) of this section or as limited by the employer.

(b) An employer-license officer shall submit to the department, on a form provided by the department, the name of an employee who will be issuing licenses under the authority of the employer-license officer. A separate form must be submitted for each employee who will be issuing licenses. The form must be signed by both the employer-license officer and the employee. Any failure or default by the employee, including failure to account for all money, will be considered a failure or default by the employer-license officer, and the department will, in its discretion, take action against the employee, the employer-license officer, or both.

(c) The employer-license officer is responsible for the submission of all reports and the accounting of all money collected by the employee. The compensation authorized by [AS 16.05.390](#) (a) will be paid to the employer-license officer. The employee will have no right or interest in the compensation. Upon the termination of the employee's employment, or at the request of the employer-license officer, the employee's licensing authority will immediately terminate. Employees shall sign license applications with the name of their supervising license officer followed by a notation which states the license is issued "by" the employee, who shall identify himself or herself either by full name or by complete initials.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.060. Suspension or revocation of license officer appointment

(a) If the department intends to suspend or revoke a license officer appointment issued

under this chapter, the department will give the license officer 30 days' notice of the intended suspension or revocation. If the basis for suspension or revocation still exists on the 30th day, the department will notify the license officer of immediate suspension or revocation, unless an appeal under (d) of this section has been timely filed by the license officer. Upon suspension or revocation of an appointment, all money collected, except the license officer's commission, is due and payable as provided in 15 AAC [116.070](#).

(b) The basis for suspension or revocation of a license officer appointment may include any of the following circumstances:

(1) notice of bond cancellation is received by the department;

(2) a discrepancy exists between the license officer's records or returns required to be filed with the department and the department's audit or examination of the license officer's books and inventory;

(3) the license officer fails to collect fees or fails to pay to the department money due to the department;

(4) a renewal application is not timely filed;

(5) the license officer fails to meet any of the conditions specified or required by [AS 16.05](#), 15 AAC [116](#), or by the contract itself; or

(6) the license officer knowingly or wilfully issues, or causes to be issued, a license or tag to an individual who has attempted to take or has taken an animal or fish for which the license or tag should have been acquired before the hunting or fishing activity.

(c) When a license officer appointment is revoked under this section, the license officer may not apply for a new appointment for three years after the date of revocation. The date of suspension or revocation is the date on which the notice of immediate suspension or revocation is issued. If a formal hearing has been requested, the date of suspension or revocation is the date of the hearing decision.

(d) If a person is aggrieved by a notice of intended suspension or revocation, that person may appeal to the department and may request a formal hearing under the procedures set out in [AS 43.05.240](#) (c) and 15 AAC [05.001](#), 15 AAC [05.010\(a\)](#) (2) - (4) and (b), 15 AAC [05.030\(a\)](#) and (d) - (p), 15 AAC [05.035](#) - 15 AAC [05.040](#), and 15 AAC [05.050\(c\)](#). The appeal must be submitted to the department in person or by mail within 10 days after the date of mailing the notice of intended revocation by the department. Failure to request a hearing within the time provided in this section waives the license officer's right to a hearing.

(e) Upon receipt of a timely appeal under (d) of this section, the department will schedule a formal hearing to be held within 10 working days after the receipt of the appeal form. If the department determines that a correction is warranted, the department will make the correction. A written decision concerning the appeal will be issued within 10 working days after the formal hearing has been concluded.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.070. Fees, reports, and license inventory due when license officer appointment expired, suspended, or revoked

The reporting and accounting obligations of the license officer, all money collected, except the license officer's commission, and all license inventory are due by the last day of the month following the month during which the license officer appointment expired, was suspended, or was revoked.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

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[AS 16.05.390](#)

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15 AAC 116.100. Qualifications for license and proof of qualification

- (a) Only natural persons may be issued licenses under [AS 16.05](#) and this chapter.
- (b) An applicant claiming entitlement to a resident license or special status license has the burden of proving to the license officer that he is entitled to the license and shall take an oath administered by the license officer certifying the truthfulness of the applicant's status.
- (c) The license officer shall accept as adequate proof of residency an Alaska driver's license, voter registration card, school records, proof of home ownership or rental receipts, tax records, employment records, or court or other governmental agency records, showing that the applicant is a resident.

History: Eff. 3/25/83, Register 85



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[15 AAC 116.050. Employees of license officers](#)

(a) Employees of a license officer may issue licenses under the authority of the license officer if the employer-license officer complies with the requirements of (b) of this section. An employee who is authorized to issue licenses under (b) of this section has all the rights, duties, obligations, and authority of a license officer except as limited by (c) of this section or as limited by the employer.

(b) An employer-license officer shall submit to the department, on a form provided by the department, the name of an employee who will be issuing licenses under the authority of the employer-license officer. A separate form must be submitted for each employee who will be issuing licenses. The form must be signed by both the employer-license officer and the employee. Any failure or default by the employee, including failure to account for all money, will be considered a failure or default by the employer-license officer, and the department will, in its discretion, take action against the employee, the employer-license officer, or both.

(c) The employer-license officer is responsible for the submission of all reports and the accounting of all money collected by the employee. The compensation authorized by [AS 16.05.390](#) (a) will be paid to the employer-license officer. The employee will have no right or interest in the compensation. Upon the termination of the employee's employment, or at the request of the employer-license officer, the employee's licensing authority will immediately terminate. Employees shall sign license applications with the name of their supervising license officer followed by a notation which states the license is issued "by" the employee, who shall identify himself or herself either by full name or by complete initials.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

[15 AAC 116.060. Suspension or revocation of license officer appointment](#)

(a) If the department intends to suspend or revoke a license officer appointment issued under this chapter, the department will give the license officer 30 days' notice of the intended suspension or revocation. If the basis for suspension or revocation still exists on the 30th day, the department will notify the license officer of immediate suspension or revocation, unless an appeal under (d) of this section has been timely filed by the license officer. Upon suspension or revocation of an appointment, all money collected, except the license officer's commission, is due and payable as provided in 15 AAC [116.070](#).

(b) The basis for suspension or revocation of a license officer appointment may include any of the following circumstances:

(1) notice of bond cancellation is received by the department;

(2) a discrepancy exists between the license officer's records or returns required to be filed with the department and the department's audit or examination of the license officer's books and inventory;

(3) the license officer fails to collect fees or fails to pay to the department money due to the department;

(4) a renewal application is not timely filed;

(5) the license officer fails to meet any of the conditions specified or required by [AS 16.05](#), 15 AAC [116](#), or by the contract itself; or

(6) the license officer knowingly or wilfully issues, or causes to be issued, a license or tag to an individual who has attempted to take or has taken an animal or fish for which the license or tag should have been acquired before the hunting or fishing activity.

(c) When a license officer appointment is revoked under this section, the license officer may not apply for a new appointment for three years after the date of revocation. The date of suspension or revocation is the date on which the notice of immediate suspension or revocation is issued. If a formal hearing has been requested, the date of suspension or revocation is the date of the hearing decision.

(d) If a person is aggrieved by a notice of intended suspension or revocation, that person may appeal to the department and may request a formal hearing under the procedures set out in [AS 43.05.240](#) (c) and 15 AAC [05.001](#), 15 AAC [05.010\(a\)](#) (2) - (4) and (b), 15 AAC [05.030\(a\)](#) and (d) - (p), 15 AAC [05.035](#) - 15 AAC [05.040](#), and 15 AAC [05.050\(c\)](#). The appeal must be submitted to the department in person or by mail within 10 days after the date of mailing the notice of intended revocation by the department. Failure to request a hearing within the time provided in this section waives the license officer's right to a hearing.

(e) Upon receipt of a timely appeal under (d) of this section, the department will schedule a formal hearing to be held within 10 working days after the receipt of the appeal form. If the department determines that a correction is warranted, the department will make the correction. A written decision concerning the appeal will be issued within 10 working days after the formal hearing has been concluded.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

[15 AAC 116.070. Fees, reports, and license inventory due when license officer appointment expired, suspended, or revoked](#)

The reporting and accounting obligations of the license officer, all money collected, except the license officer's commission, and all license inventory are due by the last day of the month following the month during which the license officer appointment expired, was suspended, or was revoked.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

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[15 AAC 116.100. Qualifications for license and proof of qualification](#)

(a) Only natural persons may be issued licenses under [AS 16.05](#) and this chapter.

(b) An applicant claiming entitlement to a resident license or special status license has the burden of proving to the license officer that he is entitled to the license and shall take an oath administered by the license officer certifying the truthfulness of the applicant's status.

(c) The license officer shall accept as adequate proof of residency an Alaska driver's license, voter registration card, school records, proof of home ownership or rental receipts, tax records, employment records, or court or other governmental agency records, showing that the applicant is a resident.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.330](#)

[AS 16.05.360](#)

[AS 16.05.450](#)

[AS 43.05.080](#)

[AS 44.25.020](#)**15 AAC 116.110. Persons exempt from licensing requirements**

(a) A person who is 60 years of age or older and who has been a resident of Alaska for one year or more, and is currently a resident, may apply for a permanent identification card from the department for purposes of [AS 16.05.400](#) . In this subsection, "one year" means any 12-consecutive-month period preceding the date of application.

(b) A person who has lawfully obtained a permanent identification card under (a) of this section is not required to obtain hunting, fishing, or trapping licenses to engage in those activities.

(c) If a person who has been issued a permanent identification card ceases to be a resident of Alaska, that person must surrender the card to the department.

History: Eff. 3/25/83, Register 85; am 6/17/84, Register 90



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[15 AAC 116.060. Suspension or revocation of license officer appointment](#)

(a) If the department intends to suspend or revoke a license officer appointment issued under this chapter, the department will give the license officer 30 days' notice of the intended suspension or revocation. If the basis for suspension or revocation still exists on the 30th day, the department will notify the license officer of immediate suspension or revocation, unless an appeal under (d) of this section has been timely filed by the license officer. Upon suspension or revocation of an appointment, all money collected, except the license officer's commission, is due and payable as provided in 15 AAC [116.070](#).

(b) The basis for suspension or revocation of a license officer appointment may include any of the following circumstances:

(1) notice of bond cancellation is received by the department;

(2) a discrepancy exists between the license officer's records or returns required to be filed with the department and the department's audit or examination of the license officer's books and inventory;

(3) the license officer fails to collect fees or fails to pay to the department money due to the department;

(4) a renewal application is not timely filed;

(5) the license officer fails to meet any of the conditions specified or required by [AS 16.05](#), 15 AAC [116](#), or by the contract itself; or

(6) the license officer knowingly or wilfully issues, or causes to be issued, a license or tag to an individual who has attempted to take or has taken an animal or fish for which the license or tag should have been acquired before the hunting or fishing activity.

(c) When a license officer appointment is revoked under this section, the license officer may not apply for a new appointment for three years after the date of revocation. The date of suspension or revocation is the date on which the notice of immediate suspension or revocation is issued. If a formal hearing has been requested, the date of suspension or revocation is the date of the hearing decision.

(d) If a person is aggrieved by a notice of intended suspension or revocation, that person may appeal to the department and may request a formal hearing under the procedures set out in [AS 43.05.240](#) (c) and 15 AAC [05.001](#), 15 AAC [05.010\(a\)](#) (2) - (4) and (b), 15 AAC

[05.030\(a\)](#) and (d) - (p), 15 AAC [05.035](#) - 15 AAC [05.040](#), and 15 AAC [05.050\(c\)](#) . The appeal must be submitted to the department in person or by mail within 10 days after the date of mailing the notice of intended revocation by the department. Failure to request a hearing within the time provided in this section waives the license officer's right to a hearing.

(e) Upon receipt of a timely appeal under (d) of this section, the department will schedule a formal hearing to be held within 10 working days after the receipt of the appeal form. If the department determines that a correction is warranted, the department will make the correction. A written decision concerning the appeal will be issued within 10 working days after the formal hearing has been concluded.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

[15 AAC 116.070. Fees, reports, and license inventory due when license officer appointment expired, suspended, or revoked](#)

The reporting and accounting obligations of the license officer, all money collected, except the license officer's commission, and all license inventory are due by the last day of the month following the month during which the license officer appointment expired, was suspended, or was revoked.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

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15 AAC 116.100. Qualifications for license and proof of qualification

(a) Only natural persons may be issued licenses under [AS 16.05](#) and this chapter.

(b) An applicant claiming entitlement to a resident license or special status license has the burden of proving to the license officer that he is entitled to the license and shall take an oath administered by the license officer certifying the truthfulness of the applicant's status.

(c) The license officer shall accept as adequate proof of residency an Alaska driver's license, voter registration card, school records, proof of home ownership or rental receipts, tax records, employment records, or court or other governmental agency records, showing that the applicant is a resident.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.330](#)

[AS 16.05.360](#)

[AS 16.05.450](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.110. Persons exempt from licensing requirements

(a) A person who is 60 years of age or older and who has been a resident of Alaska for one year or more, and is currently a resident, may apply for a permanent identification card from the department for purposes of [AS 16.05.400](#) . In this subsection, "one year" means any 12-consecutive-month period preceding the date of application.

(b) A person who has lawfully obtained a permanent identification card under (a) of this section is not required to obtain hunting, fishing, or trapping licenses to engage in those activities.

(c) If a person who has been issued a permanent identification card ceases to be a resident of Alaska, that person must surrender the card to the department.

History: Eff. 3/25/83, Register 85; am 6/17/84, Register 90

Authority: [AS 16.05.400](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.120. Refund of license fees

(a) License officers may not refund license fees. A person who wishes a refund of a license fee must apply directly to the department.

(b) A refund of a license fee will be granted by the department only if the licensee or his representative demonstrates that

(1) he or she was unable to make any use of the license as a result of death, or serious, disabling illness or injury occurring after purchase of the license and before the opening of any season for which the license could have been used; in the case of illness or injury, the illness or injury must have lasted until all seasons for which the license could be used are closed;

(2) the opening of all seasons to which the license applied were permanently cancelled, rendering the license unusable at any time during the year for which it was issued; or

(3) other extraordinary circumstances beyond the control and reasonable anticipation of the licensee exist, which the department determines to justify a refund.

(c) Refunds will not be made because a licensee was unsuccessful in his efforts to catch or kill fish or game or obtain employment as a crew member. Refunds will not be made because a licensee is unable to conduct the licensed activity due to scheduling difficulties, transportation problems, misconduct of a guide or other circumstances which prevent the licensee from undertaking the activity he had planned but which do not totally foreclose the licensee from undertaking licensed activities at either a previous or subsequent time.

History: Eff. 3/25/83, Register 85



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The reporting and accounting obligations of the license officer, all money collected, except the license officer's commission, and all license inventory are due by the last day of the month following the month during which the license officer appointment expired, was suspended, or was revoked.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.340](#)

[AS 16.05.380](#)

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[15 AAC 116.100. Qualifications for license and proof of qualification](#)

(a) Only natural persons may be issued licenses under [AS 16.05](#) and this chapter.

(b) An applicant claiming entitlement to a resident license or special status license has the burden of proving to the license officer that he is entitled to the license and shall take an oath administered by the license officer certifying the truthfulness of the applicant's status.

(c) The license officer shall accept as adequate proof of residency an Alaska driver's license, voter registration card, school records, proof of home ownership or rental receipts, tax records, employment records, or court or other governmental agency records, showing that the applicant is a resident.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.330](#)

[AS 16.05.360](#)

[AS 16.05.450](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.110. Persons exempt from licensing requirements

(a) A person who is 60 years of age or older and who has been a resident of Alaska for one year or more, and is currently a resident, may apply for a permanent identification card from the department for purposes of [AS 16.05.400](#) . In this subsection, "one year" means any 12-consecutive-month period preceding the date of application.

(b) A person who has lawfully obtained a permanent identification card under (a) of this section is not required to obtain hunting, fishing, or trapping licenses to engage in those activities.

(c) If a person who has been issued a permanent identification card ceases to be a resident of Alaska, that person must surrender the card to the department.

History: Eff. 3/25/83, Register 85; am 6/17/84, Register 90

Authority: [AS 16.05.400](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

[15 AAC 116.120. Refund of license fees](#)

(a) License officers may not refund license fees. A person who wishes a refund of a license fee must apply directly to the department.

(b) A refund of a license fee will be granted by the department only if the licensee or his representative demonstrates that

(1) he or she was unable to make any use of the license as a result of death, or serious, disabling illness or injury occurring after purchase of the license and before the opening of any season for which the license could have been used; in the case of illness or injury, the illness or injury must have lasted until all seasons for which the license could be used are closed;

(2) the opening of all seasons to which the license applied were permanently cancelled, rendering the license unusable at any time during the year for which it was issued; or

(3) other extraordinary circumstances beyond the control and reasonable anticipation of the licensee exist, which the department determines to justify a refund.

(c) Refunds will not be made because a licensee was unsuccessful in his efforts to catch or kill fish or game or obtain employment as a crew member. Refunds will not be made because a licensee is unable to conduct the licensed activity due to scheduling difficulties, transportation problems, misconduct of a guide or other circumstances which prevent the licensee from undertaking the activity he had planned but which do not totally foreclose the licensee from undertaking licensed activities at either a previous or subsequent time.

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.360](#)

[AS 16.05.450](#)

[AS 43.05.080](#)

[AS 44.25.020](#)

15 AAC 116.130. Lost or destroyed licenses

(a) A person who has lost or destroyed a license may apply to the department or any license officer for a duplicate license.

(b) Application for a duplicate license must be made on a form approved by the department for that purpose and must be made under penalty of perjury.

(c) A person who makes a false statement as to a material fact on an application is subject to the penalties provided in [AS 16.05.430](#) or [AS 16.05.665](#) .

History: Eff. 3/25/83, Register 85



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**⊕ 15 AAC 116.011. Appointment of license officer**

⊕ (a) A person who wishes to be appointed a license officer must apply to the department for appointment on a form prescribed by the department.

(b) Appointment as a license officer is not effective until an applicant has signed and returned a contract and the department has notified the applicant that the contract has been received and accepted. However, a person may be appointed for a temporary period, not to exceed 30 days, by verbal notice which is confirmed in writing from the department, when the appointment is necessary because of the death, incapacity, resignation of a license officer serving an area, or the absence of a license officer for an area.

⊕ **History: Eff. 3/25/83, Register 85**

⊕ **Authority:** [AS 16.05.380](#)

[AS 16.05.460](#)

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**✚ 15 AAC 116.021. Qualifications for appointment as a license officer**

✚ (a) A natural person may apply for appointment as a license officer, if that person is at least 18 years of age. A business entity may apply for appointment, if the person operating the business has obtained an Alaska business license.

(b) If an applicant is a business entity, the applicant must designate an individual who is employed by the applicant as the person who will be responsible for carrying out the duties of a license officer. For each business entity applicant, the department will not appoint more than one license officer at each store or other site of business of the applicant. Additional persons, however, may be authorized to issue licenses under 15 AAC [116.050](#).

(c) The department will, in its discretion, deny appointment to any person who has failed to perform the duties of a license officer in accordance with the terms of a contract of appointment at any time during the preceding three years.

(d) The department will, in its discretion, deny appointment upon a finding that a particular area or locale is adequately served by existing license officers and that appointment of an additional license officer would not benefit the public. If the department denies an applicant appointment under this subsection, the department will advise the applicant in writing of its decision and will list the name and address of each license officer in the area or locale of the applicant.

(e) A person who has been convicted of a felony within the preceding five years will not be appointed as a license officer.

✚ **History:** Eff. 3/25/83, Register 85

✚ **Authority:** [AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)



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✚ 15 AAC 116.030. Obligations and duties of license officers

✚ (a) Each license officer must enter into a contract of appointment with the department before commencing duties as a license officer. The contract must be on a form provided by the department and must state

(1) the term of the appointment, not to exceed three years;

(2) the class or classes of licenses the license officer is authorized to sell;

(3) the reporting and accounting period and other reporting and accounting obligations of the license officer;

(4) the right of the department to audit or examine the books and inventory of the license officer;

(5) the duty of the license officer to account for all money collected and the right of the department to receive from the license officer all money except the license officer's commission;

(6) the duty of the license officer or the officer's employees to administer oaths to license applicants in the manner prescribed by the department; and

(7) any other matters specified in 15 AAC [116.010](#) - 15 AAC [116.310](#), or other matters which the department determines to be appropriate.

(b) Except as provided in (c) of this section, the department will provide a blanket bond applicable to all license officers in an amount of not less than \$2,000. Each license officer must complete all forms necessary to obtain coverage under this bond.

(c) If, based on the past or expected performance of a license officer, the department determines that the amount of money which a license officer will handle during the term of his appointment is more than four times the amount of the bond coverage provided under (b) of this section, and that the interests of the state are not otherwise adequately protected, the department will, in its discretion, require the applicant to post a bond in an amount established by the department.

(d) Where the amount of money a license officer handles during the term of his appointment justifies such action, the department will, in its discretion, require that the license officer establish a bank account to which the license officer must deposit all fees

collected for licenses. Alternatively, the department will, in its discretion, require that the license officer deposit fees collected for licenses directly to an account established by the department for that purpose. If the department imposes these requirements on a license officer, the requirements will be stated in the contract or in an amended contract between the department and the license officer.

(e) If a license officer fails to perform duties and obligations in strict accordance with the terms of the contract, the department will, in its discretion, give to the license officer notice of the officer's noncompliance and a demand for compliance. If the license officer fails to remedy the noncompliance after notice and demand, the department will, in its discretion, terminate the officer's appointment in accordance with 15 AAC [116.060](#) and, in addition, take any other action necessary to protect the state's interests, including commencement of suit.

✚ **History:** Eff. 3/25/83, Register 85

✚ **Authority:** [AS 16.05.360](#)

[AS 16.05.380](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

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[15 AAC 116.310. Definitions](#)

Unless the context indicates otherwise, in this chapter

(1) "account for all money" means delivery to the department of all fees collected and all money due the department on account of, or by virtue of, the sale, issuance, or loss of licenses by a license officer or employee; money is not accounted for until actually received by the department, and, if money is transmitted by check, until clearance of the check;

(2) "area" or "locale" means a geographical region of any size which the department determines constitutes a single region where persons within that region or adjacent regions could reasonably be expected to purchase licenses from license officers within that region;

(3) "business entity" means a corporation, partnership, or sole proprietorship, store or other single location from which a business is conducted;

(4) "contract" or "contract of appointment" means the agreement between the department and a license officer which sets out the duties and obligations of a license officer and authorizes the license officer to issue licenses;

(5) "department" means the Department of Revenue;

(6) "employee" means a person who is employed by a license officer;

(7) "license" means a license or tag, and each class or type of license, which the department issues under [AS 16.05.330](#) , 16.05.340, 16.05.450(a), 16.05.480(a), and this chapter;

(8) "licensee" means a natural person who purchases one or more licenses;

(9) "license officer" means a person who has entered into a contract with the department for the purpose of being appointed and authorized to take applications and issue one or more classes of licenses; it includes employees who are authorized to issue licenses by an employer-license officer; and

(10) "resident" means resident as defined in [AS 16.05.940](#) (14).

History: Eff. 3/25/83, Register 85

Authority: [AS 16.05.330](#)

[AS 16.05.360](#)

[AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.450](#)

[AS 16.05.460](#)

[AS 16.05.940](#)

[AS 43.05.080](#)

[AS 44.25.020](#) (2)

[Article 4](#)

Seafood Marketing Assessment on Processors

Section

[600. Imposition of seafood marketing assessment.](#)

[610. Filing the return.](#)

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[640 - 660. \(Reserved\).](#)

[670. Processors eligible for elections.](#)

[680. Elections imposing, amending or terminating the assessment.](#)

[690. \(Reserved\).](#)

[700. Definitions.](#)

[15 AAC 116.600. Imposition of seafood marketing assessment](#)

- (a) There is imposed an assessment under [AS 16.51.120](#) on the total value paid for seafood products by all processors, except on those transactions excluded from liability for tax under [AS 43.75](#) as provided in [AS 43.75.017](#) , for the calendar year 1982 and each year following until amended or terminated under [AS 16.51.140](#) or [AS 16.51.130](#) . The assessment is on all processors whose value paid for seafood products during a calendar year is at least \$50,000, and is calculated at the rate of .2 percent of the total value paid for the seafood products.
- (b) All processors shall file returns under 15 AAC [116.610](#) and shall pay the total assessment due under this chapter on or before March 31 after the close of the calendar year to which the assessment applies.
- (c) A processor is liable for the tax under [AS 16.51](#) on the value of a seafood product processed for a person not licensed under AS 43.75.
- (d) A person taking, purchasing, or otherwise acquiring a seafood product that has not been subject to the tax imposed in [AS 16.51](#), who transports the seafood product to a point outside the taxing jurisdiction of the state for sale or processing, is liable for the tax under [AS 16.51](#) on the value of the seafood product.

History: Eff. 12/17/82, Register 84; am 4/20/94, Register 130

Authority: [AS 16.51.120](#)

[AS 43.05.080](#)

[AS 43.05.250](#)

[15 AAC 116.610. Filing the return](#)

- (a) Each processor shall file a return on a form provided by the department and remit the total amount of the assessment to the department on or before March 31 after the close of the calendar year to which the assessment applies. The information required by the return will include the following:

- (1) name of the taxpayer;
 - (2) mailing address;
 - (3) federal employer identification number or social security number;
 - (4) fisheries business license number;
 - (5) year for which tax return is being filed;
 - (6) locations of operation and vessel name, if applicable;
 - (7) total value paid for seafood products in Alaska during the calendar year for which the return is being filed;
 - (8) other information required by the department.
- (b) Processors doing business in more than one location shall, on the return, list for each business location the same information required by (a) of this section.

History: Eff. 12/17/82, Register 84

Authority: [AS 16.51.150](#)

[AS 16.51.160](#)

[AS 43.05.080](#)

[AS 43.05.250](#)

15 AAC 116.620. Extension of time for filing return

(a) Upon a showing of good cause, the department will, in its discretion, grant a reasonable extension of time, not to exceed 180 days in the aggregate, for filing a return. An extension of time for filing a return does not extend the time for the payment of the assessment. An estimated payment must be remitted with the request for an extension along with an explanation showing how the estimate was determined. The estimated payment must be equal to or greater than 90 percent of the actual liability shown on the return ultimately filed within the approved extension period in order to avoid failure-to-pay penalties under [AS 43.05.220](#) (a) and 15 AAC [05.210\(b\)](#) .

(b) The application for an extension of time for filing the return must be in writing and

addressed to the department and must contain a full statement of the causes for the delay. It must be filed no later than 15 calendar days before the date the return is due.

(c) If an extension of time for filing the return is granted, the return must be filed before the expiration of the period of extension.

(d) If an application for extension is denied, the return must be filed within 10 calendar days after the date the notice of denial is mailed by the department or 10 calendar days after the March 31 due date, whichever is later.

History: Eff. 12/17/82, Register 84

Authority: [AS 16.51.160](#)

[AS 43.05.080](#)

[15 AAC 116.630. Administration and enforcement](#)

The provisions of [AS 43.05.010](#) - 43.05.290, [AS 43.10.010](#) - 43.10.200 and 15 AAC [05](#) and 15 AAC [10](#), apply to the administration of the assessment imposed by this chapter and they include the following:

- (1) the confidentiality of tax return information is provided for under [AS 43.05.230](#) ;
- (2) the availability of taxpayer remedies is provided for under [AS 43.05.240](#) and 15 AAC 05.005 - 15 AAC [05.050](#);
- (3) the imposition of penalties for failure to file a return or pay the assessment required by this chapter will be calculated as provided in [AS 43.05.220](#) and 15 AAC [05.200](#) - 15 AAC [05.230](#);
- (4) interest on assessments not timely paid will be calculated under [AS 43.05.225](#) ; and
- (5) the prosecution of criminal violations and the collection of the assessment under this chapter is provided for under [AS 43.10.010](#) .

History: Eff. 12/17/82, Register 84



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✚ 15 AAC 116.040. Compensation

✚ (a) In addition to the amount a license officer is authorized to retain under [AS 16.05.390](#) (a)(1), a license officer is entitled to compensation at the rate of \$1 for each license and each tag sold, except commercial fishing licenses sold under [AS 16.05.440](#) - 16.05.480. However, if a license officer sells less than 50 licenses and tags during the year, the officer is entitled to receive \$50 compensation for that year.

(b) The department will pay license officers quarterly, except that no payment will be made unless the cumulative amount due to a license officer under [AS 16.05.390](#) (a)(2) equals or exceeds \$50 after the deductions authorized by (d) of this section. If a license officer's cumulative sales are less than 50 licenses and tags on December 31, the department will pay the license officer \$50 compensation for the calendar year.

(c) Calculation of the compensation due a license officer under [AS 16.05.390](#) will be based only on reports and proceeds actually received by the department by the end of each calendar quarter. Compensation for licenses sold in one quarter and reported the following quarter must be included in the calculation for the current quarter. However, if a license officer reports licenses sold in one calendar year on the next calendar year report, and the officer's total sales for the previous year were less than 50 licenses and tags, the difference between 50 and the number of licenses and tags actually sold will be deducted from the year reported and added to the previous year's sales. This will be done to ensure that the license officer is not paid twice for these sales.

(d) If the department determines that the license officer has submitted to the department less than the full amount due, the department, before making payment of the compensation authorized by [AS 16.05.390](#) (a)(2) and this section, will deduct from the compensation the difference between the amount due and the amount submitted to the department. The department will inform the license officer, in writing, of all deductions.

✚ **History:** Eff. 3/25/83, Register 85

✚ **Authority:** [AS 16.05.380](#)

[AS 16.05.390](#)

[AS 16.05.460](#)

[AS 43.05.080](#)

[AS 44.25.020](#)



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