

## Fund Source Report

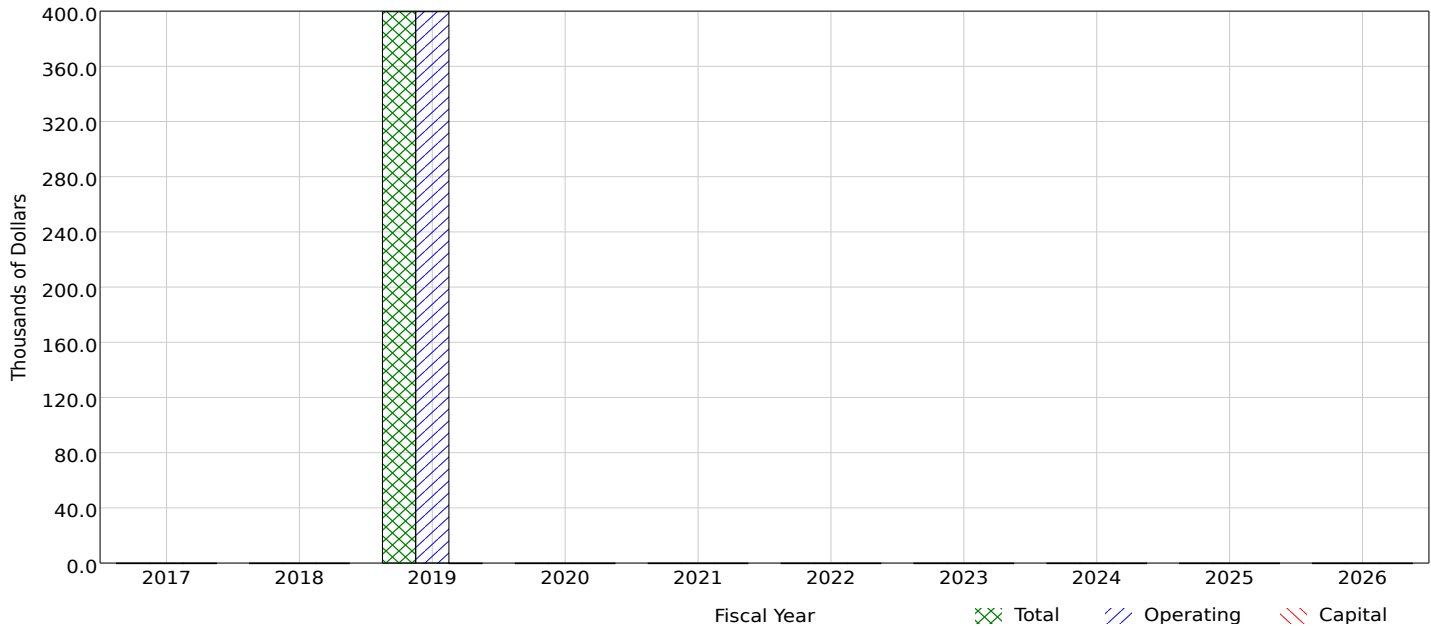
**1134**

**F&G CFP**

**Fish and Game Criminal Fines and Penalties**

Year Authorized 2000	Year Repealed 2006	Active? Yes	Mental Health? No	Duplicated? No	Fund Group Designated General
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### Operating and Capital Appropriations



#### Legal Authority

Legislative Finance Division tracking code

#### Source of Revenue

General fund collections for fish and game criminal fines, penalties and forfeitures.

#### Restrictions on Use

The Fish and Game (F&G) Fund is a dedicated fund. However, this source of revenue is neither dedicated (by constitution) or designated (by statute) to F&G enforcement or the F&G Fund. The federal restrictions that apply to dedicated receipts do not apply to this code, nor is there any other formal restriction.

#### Description and History

Criminal fines, penalties and forfeitures for violations of fish and game laws go into the general fund and are then appropriated annually (with a one-year lag) to a subaccount of the Fish and Game Fund. Money in the subaccount is typically appropriated to the departments of Public Safety and Law.

Because most of the money in the F&G Fund flows in without appropriation, budget reports count money flowing out of the Fund. Until the creation of this code, revenue from criminal fines and forfeitures was counted on the way into the Fund as well as on the way out of the Fund.

Code 1134 is used to separate the duplicated appropriations to the departments of Public Safety and Law. The impact of this budgetary treatment is to increase the amount of general funds in the "funds transfer" portion of the budget and reduce general fund appropriations to the departments of Public Safety and Law by an amount equal to the transfer of general funds to the F&G Fund (which equals the amount of F&G Fund appropriated to the departments of Public Safety and Law).

Other funds capitalized with general funds are flagged as "duplicated" so that appropriations from the funds are not double counted. A fund code cannot be "partially duplicated," so a separate code was created for the duplicated portion (criminal fines and forfeitures) of the Fish & Game Fund.

Arguably, this code should be deactivated and receipts should be appropriated from the general fund directly to the departments of Law and Public Safety. Doing so would resolve potential conflicts with AS 16.05.100 and .110, which restrict use of the Fish and Game Fund to duties delegated to the Department of Fish & Game. Enforcement duties are not delegated to the Department of Fish and Game. However, there is no compelling reason to change the current use of the F&G Fund as a pass-through for enforcement funding. The action would have no impact on the statewide

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budget; what now shows as general fund capitalization of the Fish & Game Fund would show as general fund appropriations to Law and Public Safety.

October 2011

The fund code was deactivated in FY06 and GF receipts from criminal fines and penalties are no longer deposited in the F&G fund. The departments of Law and Public Safety began receiving GF to replace money that had been coded as 1134.

August 2021

CBR sweep changed to "No" to reconcile to DLF sweep analysis. Categorized as a Special Revenue Fund (SRF) which are not sweepable. Notes say the majority of revenue in each of the subfunds are restricted so balance of fund is treated as restricted.

See

1024 Fish and Game Fund

1194 Fish & Game Nondedicated Receipts