

HOUSE BILL NO. 104

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE STEVENS

Introduced: 2/14/03

Referred: House Special Committee on Fisheries, Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to payment of the fisheries business tax and to security for collection of**
2 **the fisheries business tax."**

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

4 * **Section 1.** AS 43.75.030(d) is amended to read:

5 (d) The tax may be paid on or before the 15th day of the month following
6 the month in which liability for the payment of the tax was incurred; however,
7 the total amount of the tax owed for a calendar year shall be paid before April 1
8 after the close of the calendar year.

9 * **Sec. 2.** AS 43.75.055(c) is amended to read:

10 (c) An applicant [THAT DOES NOT PROCESS A FISHERY RESOURCE
11 IN THE STATE] may elect to avoid the requirements of (a) and (b) of this section if
12 the applicant

13 (1) files a report as prescribed by the department and
14 [NOTWITHSTANDING AS 43.75.030(d),] pays the taxes due under this chapter on

1 or before the 15th day of the month following the month in which liability for the
2 payment of the taxes was incurred;

3 (2) pays the taxes and assessments for which the applicant is liable
4 under AS 16.51, AS 43.76, and AS 43.77 on or before the 15th day of the month
5 following the month in which the liability for the payment of the taxes or assessments
6 was incurred;

7 (3) remits to the department the taxes and assessments that the
8 applicant is required to collect under AS 43.76 on or before the 15th day of the month
9 following the month in which the taxes or assessments were required to be collected;
10 and

11 (4) either

12 (A) files a bond in the amount of \$50,000; or

13 (B) provides the department with proof that the applicant is the
14 owner of lienable real property in the state of a value of at least \$100,000.

15 * **Sec. 3.** AS 43.75.055(d) is amended to read:

16 (d) A bond filed under (c) of this section must be conditioned upon payment to
17 the fisherman of the full purchase price for the fishery resource and the payment of the
18 taxes, interest, and penalties in full when due. [THE PROVISIONS OF (c) OF THIS
19 SECTION DO NOT APPLY TO AN APPLICANT WHO HAS A RELATIONSHIP,
20 AS THAT TERM IS DEFINED UNDER 26 U.S.C. 267(b), WITH A PERSON THAT
21 PROCESSES A FISHERY RESOURCE.]