

Introduced: 3/21/69
Referred: Commerce and
Finance

1 IN THE HOUSE

BY TILLION

2 HOUSE BILL NO. 327

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the posting of security by certain
7 cold storage and other fish processors; and providing
8 for an effective date."

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

10 * Section 1. AS 43.75.095 is amended to read:

11 Sec. 43.75.095. SECURITY FOR COLLECTION OF TAXES. (a) Each
12 applicant for a license under this chapter shall in or with his appli-
13 cation state under oath the amount of each of the products which he
14 expects to produce during the license year. The applicant shall
15 further state the unencumbered value [THE EXTENT] of [LIENABLE] real
16 property owned by the applicant in the state against which the tax may
17 be collected and other information with respect to description,
18 location and value of the property which the department prescribes.
19 If the unencumbered [LIENABLE] value of the real property is not equal
20 to three times the amount of the tax for which the applicant will
21 probably be liable under this section, the department may not issue
22 the license until the applicant files with the department a surety bond
23 in the form approved by the attorney general in a penal sum equal to
24 twice the probable amount of the tax for which the applicant will be
25 liable, conditioned upon payment of the tax in full when due, with
26 interest if not paid before delinquency. [HOWEVER, IF THE APPLICANT
27 PURCHASES SALMON FOR EXPORT FROM ALASKA IN THE ROUND, THE AMOUNT OF THE
28 BOND SHALL BE \$50,000 UNLESS THE APPLICANT IS THE OWNER OF LIENABLE REAL
29 PROPERTY IN THE STATE OF A VALUE OF AT LEAST \$50,000, AND THE BOND

1 SHALL BE CONDITIONED UPON PAYMENT TO THE FISHERMAN OF THE FULL PURCHASE
2 PRICE FOR THE SALMON AND THE PAYMENT OF THE TAX IN FULL WHEN DUE.]

3 The department may waive the bond required under this subsection
4 [REQUIREMENT] if the applicant posts other security in the form of
5 collateral acceptable to the department or prepays the estimated tax.

6 N (b) A license applicant or a licensee under this chapter who
7 purchases salmon for export from Alaska in the round shall, in addition
8 E to complying with (a) of this section, post a bond in the sum of \$50,000
9 with the department in the form approved by the attorney general unless
10 W the applicant or licensee is the owner of real property in the state
11 having an unencumbered value of at least \$50,000 excluding that portion
12 of the property, if any, relied upon to acquire an exemption from
13 obtaining a bond under (a) of this section or any other statute. The
14 bond shall be conditioned upon payment to the fishermen of the full
15 M price to be paid for salmon purchased by the licensee or license appli-
16 cant during the license period and the wages of the process plant
17 A workers.

18 (c) Anyone, other than a processor licensed under this chapter,
19 T who buys salmon in the round from a processor or other person and
20 exports it from Alaska shall first obtain a special occupation license
21 E from the department and post with the department at the time of applying
22 for the license a bond in the sum of \$50,000 in a form approved by the
23 R attorney general unless the applicant for the special license is the
24 owner of real property in the state having an unencumbered value of at
25 I least \$50,000 excluding that portion of the property, if any, relied
26 upon to acquire an exemption from obtaining a bond under any other
27 A statute. The bond shall be conditioned upon payment to the fishermen
28 of the full price to be paid for the salmon and payment of the wages of
29 L workers of the processor, including the payment of taxes withheld from

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wages. The special license required under this subsection shall be
\$25 a year.

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