

Introduced: 2/4/70
Referred: Resources

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 595

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska King Crab Marketing
7 and Quality Control Board; and providing for an
8 effective date."

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

10 * Section 1. AS 18.90.120(a) is amended to read:

11 (a) [BEFORE JUNE 6, 1965,] The commissioner shall prepare
12 annually a list of processors as defined in sec. 220 of this chapter
13 for use in carrying out procedures prescribed in this chapter. To
14 enable the commissioner to prepare a complete list of processors, he
15 may require all persons who operated as processors in the preceding
16 calendar year [12-MONTH PERIOD IMMEDIATELY PRECEDING MAY 7, 1965,]
17 to file with him a certified statement [PROPERLY CERTIFIED] showing
18 (1) the correct name and address of the processor; and
19 (2) the gross dollar value paid to fishermen [THE FISHERMAN]
20 during the preceding calendar year [12-MONTH PERIOD IMMEDIATELY
21 PRECEDING MAY 7, 1965].

22 * Sec. 2. AS 18.90.120(c) is amended to read:

23 (c) The board may not engage in promotion, research, education,
24 quality control, or similar activities authorized by this chapter
25 [SHALL NOT MAKE EFFECTIVE THE PROMOTION, RESEARCH, QUALITY CONTROL
26 AND OTHER PROVISIONS OF THIS CHAPTER UNLESS AND] until the annual
27 budget for those programs is assented to in writing by not less than
28 51 per cent of the processors by number and by the processors of not
29 less than 51 per cent of the king crab poundage processed in the state

1 by all processors qualified to assent. Processors who have not paid
2 the assessment levied under sec. 140 of this chapter for the previous
3 year are not qualified to assent. [GROSS DOLLAR VALUE PAID TO THE
4 FISHERMAN SHALL BE BASED UPON THE GROSS DOLLAR VALUE PAID TO THE
5 FISHERMEN OBTAINED BY THE COMMISSIONER UNDER (A) OF THIS SECTION.]

6 * Sec. 3. AS 18.90.140(a) is repealed and re-enacted to read:

7 (a) Each processor who purchases in excess of 50,000 pounds of
8 unprocessed crab shall pay an assessment to defray the costs of
9 administration and enforcement of this chapter. A uniform rate of
10 assessment shall be levied based on the gross dollar value paid by
11 the processor to fishermen for king crab during the previous calendar
12 year. The board shall annually propose an assessment appropriate to
13 carry out this chapter and the assessment shall become effective when
14 assented to in writing as provided in sec. 120(c) of this chapter.
15 The assessment may not be levied or collected more than once upon
16 any lot of king crab processed.

17 * Sec. 4. AS 18.90.140(c) is amended to read:

18 (c) After the board has proposed and the industry has approved
19 an assessment, the commissioner shall give written notice of the
20 assessment by mail [NOTIFICATION IN WRITING BY MAIL OF THE ASSESSMENT]
21 to all processors [CONCERNED] whose names are on record in the
22 department. Assessments shall be paid by processors who purchase
23 more than 50,000 pounds of unprocessed king crab in accordance with
24 assessment forms prepared or issued by the commissioner for that
25 purpose. Processors who purchase 50,000 pounds or less of unprocessed
26 king crab may become qualified to assent under sec. 120(c) of this
27 chapter by paying the assessment levied.

28 * Sec. 5. AS 18.90.150 is repealed and re-enacted to read:

29 Sec. 18.90.150. FAILURE TO PAY ASSESSMENT. A processor who

1 fails to pay an assessment levied under sec. 140 of this chapter
2 within 60 days after the assessment is payable is liable to the state
3 for double the amount of the assessment levied. Upon request by the
4 board the attorney general may bring a civil action against a
5 processor for money payable under the provisions of this chapter.

6 * Sec. 6. AS 18.90.220 is amended by adding a new subsection to read:

7 (5) "gross dollar value paid" means the actual price paid by
8 a processor to fishermen for king crab, including indirect
9 considerations such as fuel or supplies furnished by the processor
10 or offsets to the price for gear furnished.

11 * Sec. 7. This Act takes effect January 1, 1971.
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