

Introduced: 3/1/71
Referred: Resources and Commerce

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BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 139

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST 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 18.90.040(e) is amended to read:

11 (e) The board shall elect a chairman annually and shall hold at
12 least one [TWO] regular meeting [MEETINGS] a year. The board shall
13 meet at the call of the chairman or upon the written request of three
14 members of the board.

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15 * Sec. 2. AS 18.90.120(a) is amended to read:

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

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27 * Sec. 3. AS 18.90.120(c) is amended to read:

28 (c) The board may not engage in promotion, research, education,
29 quality control, or similar activities authorized by this chapter

1 [SHALL NOT MAKE EFFECTIVE THE PROMOTION, RESEARCH, QUALITY CONTROL AND
2 OTHER PROVISIONS OF THIS CHAPTER UNLESS AND] until the annual budget
3 for those programs is assented to in writing by not less than 51 per
4 cent of the processors by number and by the processors of not less
5 than 51 per cent of the king crab poundage processed in the state by
6 all processors qualified to assent. Processors who have not paid
7 the assessment levied under sec. 140 of this chapter for the previous
8 year are not qualified to assent. [GROSS DOLLAR VALUE PAID TO THE
9 FISHERMAN SHALL BE BASED UPON THE GROSS DOLLAR VALUE PAID TO THE
10 FISHERMEN OBTAINED BY THE COMMISSIONER UNDER (A) OF THIS SECTION.]

11 * Sec. 4. AS 18.90.140(a) is repealed and re-enacted to read:

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

22 * Sec. 5. AS 18.90.140(c) is amended to read:

23 (c) After the board has proposed and the industry has approved
24 an assessment, the commissioner shall give written notice of the
25 assessment by mail [NOTIFICATION IN WRITING BY MAIL OF THE ASSESSMENT]
26 to all processors [CONCERNED] whose names are on record in the
27 department. Assessments shall be paid by processors who purchase
28 more than 50,000 pounds of unprocessed king crab in accordance with
29 assessment forms prepared or issued by the commissioner for that

1 purpose. Processors who purchase 50,000 pounds or less of unprocessed
2 king crab may become qualified to assent under sec. 120(c) of this
3 chapter by paying the assessment levied.

4 * Sec. 6. AS 18.90.150 is repealed and re-enacted to read:

5 Sec. 18.90.150. FAILURE TO PAY ASSESSMENT. A processor who
6 fails to pay an assessment levied under sec. 140 of this chapter
7 within 60 days after the assessment is payable is liable to the state
8 for double the amount of the assessment levied. Upon request by the
9 board the attorney general may bring a civil action against a
10 processor for money payable under the provisions of this chapter.

11 * Sec. 7. AS 18.90.220 is amended by adding a new subsection to read:

12 (6) "gross dollar value paid" means the actual price paid by
13 a processor to fishermen for king crab, including indirect considera-
14 tions such as fuel or supplies furnished by the processor or offsets
15 to the price for gear furnished.

16 * Sec. 8. This Act takes effect January 1, 1972.
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