

Original sponsor: Rules Committee by
request of the Governor

Offered: 4/17/71
Referred: Rules

1 IN THE SENATE BY THE COMMERCE COMMITTEE

2 CS FOR 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.

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

16 (a) [BEFORE JUNE 6, 1965, THE] 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 PRE-
26 CEDING MAY 7, 1965].

27 * Sec. 3. AS 18.90.120(c) is repealed.

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 AS 18.90.140(a) is repealed and re-enacted to read:

29 (a) Each processor who purchases in excess of 50,000 pounds of

king
1 unprocessed/crab shall pay an assessment to defray the costs of
2 administration and enforcement of this chapter. A uniform rate of
3 assessment of not less than .2 per cent shall be levied based on the
4 gross dollar value paid by the processor to fishermen for king crab
5 during the previous calendar year. The board shall annually propose,
6 and announce by registered notice to each qualified processor, an
7 assessment appropriate to carry out this chapter and the assessment
8 shall become effective when assented to in writing by not less than 51
9 per cent of responding processors by number and representing not less
10 than 51 per cent of the king crab poundage processed in the state by
11 all processors qualified to assent. Processors qualified to assent
12 shall have 30 days in which to respond to the notice of proposed
13 assessment. Processors who have not paid the assessment levied under
14 this chapter for the previous year are not qualified to assent. The
15 assessment may not be levied or collected more than once upon any lot
16 of king crab processed.

17 * Sec. 5. 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. 140(a) of this
27 chapter by paying the assessment levied.

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 AS 18.90.150 is repealed and re-enacted to read:

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

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

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

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

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