

Original sponsor: Rules Committee  
by request

Offered: 4/28/80  
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 962 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act allowing credits against fisheries taxes; and  
7 providing for an effective date."

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

9 \* Section 1. AS 43.75 is amended by adding a new section to read:

10 Sec. 43.75.035. SEAFOOD ASSOCIATION CREDIT. (a) A person is  
11 allowed as a credit against the tax levied under AS 43.75.015 or 43.-  
12 75.100 an amount equal to the amount that person donated during the tax  
13 year to a corporation described in (b) of this section and included on  
14 the list prepared under (d) of this section. The credit allowed by this  
15 section may not exceed 15 percent of the total tax liability under  
16 AS 43.75.015 or 43.75.100 computed without the credit allowed in this  
17 section.

18 (b) A person is entitled to a credit under this section for the  
19 amount he donated during the tax year to a nonprofit corporation orga-  
20 nized under AS 10.20 which

21 (1) is organized for the purposes of

22 (A) assisting the Alaska seafood industry to improve the  
23 quality and purity of seafood produced in Alaska; and

24 (B) assisting in the development and maintenance of  
25 markets for seafood produced in Alaska;

26 (2) represents commercial fishermen and fish processors in  
27 each of the administrative areas established by the Alaska Commercial  
28 Fisheries Entry Commission under AS 16.43.100(a)(3);

29 (3) provides services for fishermen and processors of all

1 species of fish and their by-products which are harvested in Alaska and  
2 processed for human consumption;

3 (4) includes on its board of directors representatives of  
4 commercial fishermen and of fish processors;

5 (5) establishes quality control programs for the seafood  
6 harvested and processed in Alaska by the members of the corporation;

7 (6) prepares an annual market research and product develop-  
8 ment plan for the promotion of all species of fish and their by-products  
9 which are harvested in Alaska and processed for human consumption;

10 (7) submits an annual report to the governor and the legisla-  
11 ture describing its activities; and

12 (8) permits the commissioner of revenue or his designee and  
13 the legislative audit division to inspect its offices and its accounts  
14 to determine whether it meets the criteria described in this subsection;

15 (9) has its main offices in the state and provides that the  
16 annual meeting of the membership and all meetings of the full board of  
17 directors shall be held in the state;

18 (10) is not organized for the purpose of promoting and does  
19 not promote species of seafood products by geographic origin other than  
20 from Alaska;

21 (11) includes in its board of directors three nonvoting mem-  
22 bers, one appointed by the governor, one appointed by the president of  
23 the senate, and one appointed by the speaker of the house of repre-  
24 sentatives.

25 (c) A donation to a corporation that has as its main purpose the  
26 promotion of or the development and maintenance of markets for a speci-  
27 fic brand of Alaska seafood may not be allowed as a credit under this  
28 section.

29 (d) By January 1 of each year the Department of Revenue shall

1 prepare and make available to the public a list of corporations which  
2 meet the criteria in (b) of this section.

3 \* Sec. 2. AS 43.75.130 is amended by adding a new subsection to read:

4 (b) The amount of tax revenue collected for purposes of this  
5 section is the amount that would have been collected without deduction  
6 of the credits allowed in AS 43.75.035.

7 \* Sec. 3. FISHERIES BUSINESS TAX DONATIONS FUND. (a) There is created  
8 in the Department of Revenue the fisheries business tax donations fund. The  
9 fisheries business tax donations fund may be financed only by appropriations  
10 from the legislature. The commissioner of revenue shall administer the  
11 fisheries business tax donations fund.

12 (b) A person who paid a tax under AS 43.75.015 or 43.75.100 for the  
13 1979 tax year may make a written request to the commissioner of revenue  
14 before January 1, 1981, that up to 15 percent of the tax paid by the person  
15 for the 1979 tax year be paid to a corporation described in AS 43.75.035(b).

16 (c) Within 60 days after receipt of a request described in (b) of this  
17 section, the commissioner of revenue shall pay the amount requested to the  
18 corporation from the fisheries business tax donations fund.

19 \* Sec. 4. This Act is retroactive to January 1, 1980, and applies to tax  
20 years beginning after December 31, 1979.

21 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
22 070(c).