

Original sponsors: Kerttula and Tillion

Offered: 4/1/80

1 IN THE SENATE

BY THE RULES COMMITTEE

2 CS FOR SENATE BILL NO. 346 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring the Department of Revenue to compute  
7 and report average wholesale prices for Alaska salmon,  
8 establishing procedures to secure information on whole-  
9 sale prices for Alaska salmon, and providing a penalty  
10 for failure to provide information on those prices."

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

12 \* Section 1. AS 43.80 is amended by adding a new section to read:

13 Sec. 43.80.035. REPORTING OF SALMON PRICES. (a) Except when the  
14 requirement is suspended under (d) of this section, the commissioner  
15 shall compute and report to the legislature not later than the 60th day  
16 of each regular session the average wholesale prices obtained for canned  
17 salmon by Alaska salmon canneries during the months of August, September,  
18 October, November, and December for the previous five years. In comput-  
19 ing and reporting prices, the commissioner may require canneries to  
20 provide information on wholesale price by species of salmon.

21 (b) The commissioner may

22 (1) issue subpoenas under AS 43.05.040 to compel the testi-  
23 mony of witnesses and the production of records and documents necessary  
24 to obtain and audit reports and information on wholesale prices of  
25 salmon when required under (a) of this section;

26 (2) levy and collect a civil penalty for failure to report  
27 information on wholesale prices of salmon under (a) of this section.

28 (c) A person who fails to file a report containing information on  
29 the wholesale prices of salmon required by the commissioner under this

1 section is liable for a civil penalty of \$5,000. The penalty shall be  
2 assessed and collected in the same manner as taxes are assessed and  
3 collected under this title.

4 (d) Computation and reporting of the average wholesale price of a  
5 species of salmon by the commissioner under (a) of this section is not  
6 required during a calendar year in which the commissioner does not re-  
7 ceive at least one request jointly presented by a fish processor doing  
8 business in Alaska and an organization representing fishermen that they  
9 desire the report for a species of salmon under (a) of this section for  
10 purposes of price negotiation. If a joint request is not presented to  
11 the commissioner for a salmon species for a calendar year, information  
12 about the average wholesale price of that salmon species shall not be  
13 collected by the commissioner for that calendar year, and the last  
14 report submitted by the commissioner under (a) of this section for that  
15 species is the final report of prices for that species required under  
16 this section.

17 (e) In this section,

18 (1) "commissioner" means the commissioner of revenue;

19 (2) "wholesale price" includes all receipts, whether in the  
20 form of money, credits or other consideration, received from the sale of  
21 the finished product without deduction for the cost of property sold,  
22 the cost of the material used, insurance costs, labor or service costs,  
23 label and labeling costs, transportation and storage cost, interest  
24 paid, taxes, losses, or any other expense except

25 (A) cash discounts allowed on sales not to exceed one  
26 and one-half percent;

27 (B) commissions actually paid to independent brokers not  
28 to exceed five percent; and

29 (C) swell allowance not to exceed one-tenth of one

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