

CORRECTION

Re: SENATE BILL NO. 503

March 3, 1980

CORRECTION

Please discard SENATE BILL NO. 503 and replace with this corrected version.

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Introduced: 2/27/80
Referred: State Affairs and
Finance

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 SENATE BILL NO. 503

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a consumer fuel assistance
7 program; and providing for an effective date."

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

9 * Section 1. AS 43 is amended by adding a new chapter to read:

10 CHAPTER 90. TRANSPORTATION AND HEATING FUEL ASSISTANCE.

11 Sec. 43.90.010. PROGRAM AUTHORIZED. The department shall provide
12 monetary assistance to a retailer who agrees to pass the full amount of
13 the assistance on to fuel consumers.

14 Sec. 43.90.020. AMOUNT OF ASSISTANCE. (a) The amount of assis-
15 tance paid by the department for each particular fuel shall be the
16 difference between the current average regional retail price and the
17 average regional retail price for the fuel during 1975.

18 (b) The department shall conduct a survey of retail fuel prices
19 prevailing during 1975 in the regions of the state and conduct quarterly
20 surveys of current regional retail fuel prices. The surveys of current
21 prices shall include an audit of wholesale fuel prices to insure against
22 arbitrary increases of current retail prices in order to increase the
23 amount of assistance received.

24 (c) The department shall compute the amount to be paid to a parti-
25 cipating retailer in advance of fuel sales for each month. The amount
26 to be paid shall be equal to the product of the amount of assistance
27 determined under (a) of this section multiplied by the volume of the
28 particular fuel sold by the retailer during the month one year before
29 the month in which the rebates will be paid to consumers.

1 (d) The department shall determine the amount of assistance
2 actually paid by a retailer based upon the actual volume of the parti-
3 cular fuel sold during each month and adjust future payments according-
4 ly.

5 Sec. 43.90.030. AUDITS. The department may examine the books,
6 papers, records, or memoranda of any retailer participating in the
7 program to ascertain (1) whether all money provided to a retailer for
8 assistance is being paid to fuel consumers; and (2) the accuracy of in-
9 formation provided as a basis for determining the amount of money to be
10 provided the retailer for assistance to fuel consumers. The records and
11 premises of a participating retailer shall be open at all reasonable
12 times for official inspection. The department may summon any person to
13 appear and produce books, records, papers, or memoranda bearing upon any
14 aspect of the retailer's participation in the assistance program, and to
15 give testimony or answer interrogatories under oath respecting any
16 aspect of the retailer's participation in the assistance program. The
17 department may administer oaths to persons who are summoned.

18 Sec. 43.90.040. REGULATIONS. The department shall adopt regu-
19 lations for the administration and operation of the assistance program.

20 Sec. 43.90.050. PENALTIES. (a) A retailer receiving assistance
21 payments who knowingly provides false information to the department is
22 guilty of a felony.

23 (b) A retailer who does not pass the full amount of the assistance
24 provided under this chapter on to his customers is guilty of a felony.

25 (c) The department may assess a penalty against the retailer in
26 the amount of \$10 for each gallon of fuel for which the retailer failed
27 to pass the full amount of assistance on to the consumer.

28 Sec. 43.90.900. DEFINITIONS. In this chapter

29 (1) "department" means the Department of Revenue;

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(2) "fuel" means any liquid fuel, including propane, used for transportation or heating purposes;

(3) "retailer" means a person who sells fuel to the ultimate user.

* Sec. 2. It is the intent of the legislature that the Department of Revenue define the boundaries of the regions of the state to be used in the survey of fuel prices required under AS 43.90.020(b).

* Sec. 3. This Act takes effect July 1, 1980.