

Original sponsor: Eliason

Offered: 4/22/81
Referred: Finance

1 IN THE SENATE

BY THE RULES COMMITTEE

2 CS FOR SENATE BILL NO. 200 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the fisheries business tax (AS 43.-
7 75.015); and providing for an effective date."

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

9 * Section 1. AS 43.75.015(c) is amended to read:

10 (c) A person engaging or attempting to engage in a fisheries
11 business who first actually and physically processes the fishery re-
12 source, or a person who purchases frozen salmon from a person excluded
13 by AS 43.75.017 from liability for the tax, is liable for and shall pay
14 to the department the entire tax imposed by this section. In determin-
15 ing this tax liability, the person may not deduct from the value of the
16 fishery resources processed the value of fishery resources that are
17 canned or processed for other fisheries businesses, but shall include
18 that value as part of the value of the fishery resources processed.

19 * Sec. 2. AS 43.75 is amended by adding a new section to read:

20 Sec. 43.75.017. EXCLUSION FROM FISHERIES BUSINESS TAX. (a) A
21 person is not processing a fisheries resource under AS 43.75.015 when
22 salmon are frozen aboard a fishing vessel if

23 (1) the vessel is operated as a commercial fishing vessel
24 under a valid commercial fishing license;

25 (2) the salmon are not processed beyond heading, gutting or
26 cleaning, freezing and glazing;

27 (3) the salmon which are frozen were caught by the vessel;

28 and

29 (4) the salmon are sold to a fisheries business licensed

1 under AS 43.75.020.

2 * Sec. 3. The commissioner of revenue shall refund fisheries business
3 taxes collected as a result of the September 26, 1980, cancellation of
4 Alaska Tax Ruling No. 77-3 to those persons who paid the taxes but are
5 excluded from the fisheries business tax under AS 43.75.017 added by sec. 2
6 of this Act.

7 * Sec. 4. Section 2 of this Act is retroactive to April 27, 1977.

8 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
9 070(c).