

Offered: 3/20/86
Referred: Rules

Original sponsor: Bennett by Request

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 387 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to taxation of watercraft motor
7 fuel."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 43.40.100 is amended to read:
10 Sec. 43.40.100. DEFINITIONS. In this chapter
11 (1) "dealer" means a person who sells or otherwise trans-
12 fers in this state motor fuel upon which the taxes imposed by this
13 chapter have not been paid;
14 (2) "motor fuel" means fuel used in an engine for the
15 propulsion of a motor vehicle or aircraft, and fuel used in and on
16 watercraft for any purpose, or in a stationary engine, machine or
17 mechanical contrivance that [WHICH] is run by an internal combustion
18 motor; "motor fuel" does not include fuel
19 (A) [FUEL] consigned to foreign countries;
20 (B) [FUEL] sold for use in jet propulsion aircraft
21 operating in flights to foreign countries;
22 (C) [FUEL] used in stationary power plants operating
23 as public utility plants and generating electrical energy for
24 sale to the general public;
25 (D) [FUEL] used by nonprofit power associations or
26 corporations for generating electric energy for resale;
27 (E) [FUEL] used by charitable institutions;
28 (F) that [FUEL WHICH] is at least 10 percent alcohol
29 by volume;

- 1 (G) [FUEL] sold or transferred between qualified deal-
2 ers;
- 3 (H) [FUEL] sold to federal, state, and local govern-
4 ment agencies for official use;
- 5 (I) [FUEL] used in stationary power plants that gener-
6 ate electrical energy for private residential consumption;
- 7 (J) [FUEL] used to heat private or commercial build-
8 ings or facilities;
- 9 (K) [FUEL] used for other nontaxable purposes as pre-
10 scribed by regulations adopted by the department; [OR]
- 11 (L) [FUEL] used in stationary power plants of 100 kw
12 or less that generate electrical power for commercial enterprises
13 not for resale; or
- 14 (M) originating outside of the jurisdiction of the
15 state that is brought into the state in fuel storage tanks on a
16 watercraft for the purpose of operating that watercraft, one or
17 more auxiliary engines on the watercraft, or the auxiliary water-
18 craft carried by the watercraft;
- 19 (3) "qualified dealer" means a person who (A) refines, (B)
20 imports, (C) manufactures, (D) produces, (E) compounds, or (F) whole-
21 sales motor fuel, who satisfies criteria for qualified dealers estab-
22 lished by the department by regulation and who obtains a qualified
23 dealer's license from the department;
- 24 (4) "user" means a person consuming or using motor fuel,
25 who either
- 26 (A) purchases the fuel out of the state and ships it
27 into the state for personal use in the state;
- 28 (B) manufactures the fuel in the state; or
- 29 (C) purchases or receives fuel in the state that is

1 not taxed at the time of purchase or receipt or is taxed at a
2 rate that is less than the rate prescribed by AS 43.40.010.