

SENATE BILL NO. 386

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR ELIASON

Introduced: 2/5/93
Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to a salmon marketing tax and to the Alaska Seafood Marketing
2 Institute."

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

4 * Section 1. AS 16.51.100 is amended to read:

5 Sec. 16.51.100. DUTIES OF BOARD. The board shall

6 (1) conduct programs of education, research, advertising, or sales promotion
7 designed to accomplish the purposes of this chapter;

8 (2) promote all species of seafood and their by-products that are harvested in the
9 state and processed for sale;

10 (3) develop market-oriented quality specifications for Alaska seafoods to be used
11 in developing a high quality image for Alaska seafood in domestic and world markets, and adopt
12 and distribute recommendations regarding the handling of seafood from the moment of capture
13 to final distribution;

14 (4) prepare market research and product development plans for the promotion of

1 all species of seafood and their by-products that are harvested in the state and processed for sale;
2 (5) submit an annual report to the governor and the legislature describing the
3 activities of the institute; [AND]

4 (6) develop marketing programs based on the "inspection" and "premium quality"
5 seals designed under AS 03.05.026 [,] and use the seals in advertising and promotion efforts of
6 the institute; and

7 (7) establish a salmon marketing committee to administer the domestic
8 salmon marketing program that is funded through the salmon marketing tax under
9 AS 43.76.110 - 43.76.130; the committee shall consist of seven members appointed from
10 among the membership of the board and shall include four members who are engaged in
11 commercial fishing and three other members of the board; the board may not override an
12 action of the committee except by a vote of a three-quarters majority of the board.

13 * Sec. 2. AS 43.76 is amended by adding new sections to read:

14 ARTICLE 2. SALMON MARKETING TAX.

15 Sec. 43.76.110. SALMON MARKETING TAX. A person holding a limited entry permit
16 or interim-use permit under AS 16.43 shall pay a salmon marketing tax at the rate of one percent
17 of the value, as defined in AS 43.75.290, of salmon that the person removes from the state or
18 transfers to a buyer in the state. The buyer shall collect the salmon marketing tax at the time the
19 salmon is acquired by the buyer.

20 Sec. 43.76.120. COLLECTION OF TAX. (a) A buyer who acquires salmon that is
21 subject to a salmon marketing tax imposed by AS 43.76.110 shall collect the salmon marketing
22 tax at the time of purchase and shall remit the total salmon marketing tax collected during each
23 month to the Department of Revenue by the last day of the next month.

24 (b) A buyer who collects the salmon marketing tax shall

25 (1) maintain records of the value of salmon purchased in the state;

26 (2) report to the Department of Revenue by March 1 of each year the total value,
27 as defined in AS 43.75.290, of the salmon that the buyer has acquired during the preceding year.

28 (c) The owner of salmon removed from the state is liable for payment of a salmon
29 marketing tax imposed by AS 43.76.110 if, at the time the salmon is removed from the state, the
30 tax payable on the salmon has not been collected by a buyer. If the owner of the salmon is liable
31 for payment of the salmon marketing tax under this subsection, the owner shall comply with the

1 requirements under (a) and (b) of this section to remit the tax to the Department of Revenue, to
2 maintain records, and to report to the Department of Revenue.

3 (d) The salmon marketing tax collected under this section shall be deposited in the
4 general fund. The legislature may make appropriations based on this revenue to the Department
5 of Commerce and Economic Development for the purpose of supporting the domestic salmon
6 marketing program of the Alaska Seafood Marketing Institute.

7 Sec. 43.76.130. DEFINITION. In AS 43.76.110 - 43.76.130, "buyer" means a person
8 who acquires possession of salmon from the person who caught the salmon regardless of whether
9 there is an actual sale of the salmon, but does not include a person engaged solely in interstate
10 transportation of goods for hire.

11 * Sec. 3. AS 16.51.100(7), AS 43.76.110, 43.76.120, and 43.76.130 are repealed three years after the
12 effective date of this Act.