

**SENATE CS FOR HOUSE BILL NO. 253(CRA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION**

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

**Offered: 4/29/93
Referred: JUD, FIN**

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the administration of fisheries business licenses and the
2 fisheries business tax, and amending the basis for determining refunds to local
3 governments under the program of shared fisheries taxes; and providing for an
4 effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1. PURPOSE.** The purpose of secs. 2 - 4 of this Act is to withhold from
7 distribution to municipalities under the program of shared fisheries taxes a sum not to exceed
8 five percent of the revenue obtained from the fisheries business tax imposed by AS 43.75 to
9 defray the costs to the state of enforcement of that tax and administration of the shared tax
10 program.

11 * **Sec. 2.** AS 43.75.130(d) is amended to read:

12 (d) Notwithstanding the provisions of (a)(2) and (a)(3)(B) of this section, the
13 commissioner shall pay

14 (1) to each city that is located in a borough incorporated after June 16,

1 1987 the following percentages of the tax revenue collected in the city from taxes
2 levied under this chapter:

3 (A) 45 percent of the tax revenue [TAXES] collected during
4 the calendar year in which the borough is incorporated;

5 (B) 40 percent of the tax revenue [TAXES] collected during
6 the first calendar year after the calendar year in which the borough is
7 incorporated;

8 (C) 35 percent of the tax revenue [TAXES] collected during
9 the second calendar year after the calendar year in which the borough is
10 incorporated; and

11 (D) 30 percent of the tax revenue [TAXES] collected during
12 the third calendar year after the calendar year in which the borough is
13 incorporated; and

14 (2) to each borough that is incorporated after June 16, 1987, the
15 following percentages of the tax revenue collected in the cities located within the
16 borough from taxes levied under this chapter:

17 (A) 5 percent of the tax revenue [TAXES] collected during the
18 calendar year in which the borough is incorporated;

19 (B) 10 percent of the tax revenue [TAXES] collected during
20 the first calendar year after the calendar year in which the borough is
21 incorporated;

22 (C) 15 percent of the tax revenue [TAXES] collected during
23 the second calendar year after the calendar year in which the borough is
24 incorporated; and

25 (D) 20 percent of the tax revenue [TAXES] collected during
26 the third calendar year after the calendar year in which the borough is
27 incorporated.

28 * Sec. 3. AS 43.75.130(f) is amended to read:

29 (f) In this section, "tax revenue collected"

30 (A) means 95 percent of the revenue received from the tax
31 that is levied and collected by the state under this chapter;

1 **(B)** includes the amount credited against taxes under
2 AS 43.75.018.

3 * **Sec. 4.** AS 43.75.137 is amended to read:

4 Sec. 43.75.137. **ADDITIONAL REFUND.** To the extent that appropriations
5 are available for the purpose, and notwithstanding the requirement of AS 37.07.080(e)
6 that approval of the office of management and budget is required, an amount equal to
7 50 percent of the tax revenue [THAT IS] collected, as the phrase is defined in
8 AS 43.75.130(f), [UNDER THIS CHAPTER] from fisheries businesses and is not
9 subject to division with a municipality under AS 43.75.130 shall be transmitted each
10 fiscal year, without the approval of the office of management and budget, by the
11 department to the Department of Community and Regional Affairs for disbursal to
12 eligible municipalities under AS 29.60.450.

13 * **Sec. 5.** AS 43.75 is amended by adding a new section to article 4 to read:

14 Sec. 43.75.280. **MUNICIPALITY AS TAX COLLECTION AGENT.** (a) If
15 a municipality indicates a willingness to act as the department's agent for purpose of
16 collection of the license fee and tax imposed by this chapter and the commissioner
17 believes the municipality is capable of making and accounting for those collections,
18 the commissioner shall appoint one or more employees of that municipality to assist
19 in the collection of revenue owed under the license fee and tax levied by this chapter.

20 (b) The commissioner may pay for the services of the municipal officials
21 appointed to serve as collection agents under (a) of this section by

22 (1) entering into contingent fee agreements the commissioner considers
23 reasonable; or

24 (2) the payment of amounts out of the proper appropriation for the
25 department the commissioner considers reasonable.

26 * **Sec. 6.** This Act takes effect July 1, 1993.