

SR

385

SENATE COMMITTEE REPORT

FURTHER

3/22/88

DATE TURNED INTO OFFICE

4/14/88

Mr. President:

Finance

Committee considered

SB 385

fisheries tax returns; efd

and recommended

[] replace with _____ CS _____) [] same title
[] or adopt _____ CS _____) [] new title

[] attached amendment(s) and

[✓] do pass

[] do not pass

[] no recommendation

[] individual recommendations

[] further referral to _____

[] letter of intent adopted _____

Committee [✓] attached or [] adopted fiscal note(s)

[✓] new [] updated or [] previous

[✓] zero [] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Jim Duncan

Rich Heford

Winnie Hinkle
Paul H. Johnson

Rich Heford do pass

Chairman signature and recommendation

[] Committee Backup attached

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Act relating to fisheries tax returns
Sponsor: Zharoff, et al
Requestor: Senate Finance Committee

Agency Affected: Dept. of Revenue
BRU: Income and Excise Audit Division
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: *Rick Halford* Phone: 465-3753
Division: Senator Rick Halford, Co-chairman Date: 4/7/88
Senate Finance Committee
Approved by Commissioner: _____ Date: _____
Agency: _____

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

1 IN THE SENATE

BY ZHAROFF, BINKLEY, FISCHER,
STURGULEWSKI AND ELIASON

2

SENATE BILL NO. 385

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to fisheries tax returns; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 43.75 is amended by adding a new section to read:

10 Sec. 43.75.133. PROVISION OF INFORMATION TO MUNICIPALITIES. (a)

11 If the mayor, manager, or administrator of a municipality makes a
12 written request, the department shall furnish the mayor, manager, or
13 administrator of the municipality the names of all fisheries busi-
14 nesses that have filed tax returns under this chapter in which the
15 fisheries business listed the municipality as the location in which
16 the fisheries business processed a fisheries resource subject to the
17 tax imposed under this chapter.

18 (b) If the mayor, manager, or administrator of a municipality
19 makes a written request, the department shall verify that, as to a tax
20 levied and collected by the municipality that is based on the value of
21 fisheries resource processed in or transported to or within the munic-
22 ipality, the value of the fisheries resources reported by a fisheries
23 business to the municipality and the value of the fisheries resources
24 reported by the fisheries business to the department under this chap-
25 ter are substantially the same. If the values are not substantially
26 the same, the department shall permit the mayor, manager, or adminis-
27 trator of the municipality to inspect tax returns filed by the fisher-
28 ies business with the department under this chapter, or shall furnish
29 to the municipal officer a copy of the tax returns, if the department

1 determines that the municipality provides adequate safeguards for the
2 confidentiality of the returns and that the returns will be used by
3 the municipality only for purposes of collection of its tax levied and
4 collected on fisheries resources. In this subsection, the value of
5 the fisheries resources reported by the fisheries business to the
6 department and the value reported to the municipality are substantial-
7 ly the same if the values are equal or the variance between them does
8 not exceed one percent of the greater value.

9 * Sec. 2. APPLICABILITY. AS 43.75.133, added by sec. 1 of this Act,
10 applies to tax returns filed by a fisheries business after December 31,
11 1986.

12 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).



SENATOR FRED F. ZHAROFF
ALASKA STATE LEGISLATURE


RECEIVED MAR 24 1988

P.O. BOX 405, KODIAK, ALASKA 99615 (907) 486 5259
DURING SESSION:
P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

TO: Senator Rick Halford
Co-Chairman
Senate Finance Committee

FROM: Senator Fred F. Zharoff 

DATE: March 24, 1988

RE: Senate Bill 385 - "An Act relating to fisheries tax returns; and providing for an effective date."

SB 385 moved out of the Senate Resources Committee on March 21 with four "do pass" recommendations. The bill carries a \$1,000 fiscal note. I respectfully request that SB 385 be scheduled for a hearing before the Senate Finance Committee at the earliest possible convenience.

SB 385 allows local government officials to have access to specific fish tax information now held confidential by the Department of Revenue. This information will help the municipalities ensure they receive the fish tax revenues they are entitled to receive, both through state-shared taxes and through their own municipal fish taxes.

Background information for SB 385 is attached, as follows:

1. Sectional analysis.
2. Department of Revenue fiscal note and position paper.
3. Resolution of support from the Southwest Alaska Municipal Conference, March 1, 1987.
4. Letter and resolution of support from the Alaska Municipal League, Feb. 17, 1988.
5. Letter from the Aleutians East Borough, Feb. 29, 1988.
6. Letter from the City of King Cove, March 10, 1988.
7. Letter from the City of Sand Point, March 2, 1988.
8. Letter from Mr. John Levy, executive director of the Southwest Alaska Municipal Conference, to my staff describing the problem (see page 2) and requesting assistance in implementing a solution, April 13, 1987.
9. Research report about municipalities that have their own fish taxes, prepared by the Senate Advisory Council.



SENATOR FRED F. ZHAROFF
ALASKA STATE LEGISLATURE

P.O. BOX 405, KODIAK, ALASKA 99815 (907) 486-5259

DURING SESSION:

P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

SECTIONAL ANALYSIS

Senate Bill No. 385 -- "An Act relating to fisheries tax returns; and providing for an effective date."

SECTION 1

43.75 (Fisheries Taxes) is amended to add a new section.

43.75.133: PROVISION OF INFORMATION TO MUNICIPALITIES.

- (a) Allows the Department of Revenue, upon written request, to furnish a mayor, manager, or administrator with a list of all the fisheries businesses that have filed tax returns in which they listed the municipality as a location where they processed fish. This would allow a municipality to check its records against state records to determine if it collected taxes from all the processors that processed fish within its boundaries. This provision would be particularly helpful to municipalities in keeping track of mobile floating processors. In addition, municipalities would be able to inform the department about floating processors they know operated within their boundaries, but for which the department has no record.
- (b) Requires the department -- upon written request by the mayor, manager, or administrator of a municipality -- to verify from its records the amount of fisheries tax levied or collected by the municipality. If the amounts are not substantially the same, the mayor, manager, or administrator can inspect or obtain copies of the tax returns in question in order to use them for the purpose of tax collection only. The department does not need to provide this information unless it is satisfied the municipality provides adequate safeguards to protect the confidentiality of the tax returns. "Substantially the same" is defined as the amounts (values) being "equal or the variance between them does not exceed one percent of the greater value."

SECTION 2

APPLICABILITY.

43.75.133 only applies to fisheries business tax returns filed after December 31, 1986. This saves the Department of Revenue

the time and expense of researching requests for information from its old tax return files.

SECTION 3

Immediate effective date.



**SOUTHWEST ALASKA
MUNICIPAL CONFERENCE**

Box 89 • Unalaska • Alaska 99685

RESOLUTION 87-06

A RESOLUTION OF THE SOUTHWEST ALASKA MUNICIPAL CONFERENCE
CONCERNING RAW FISH TAX COLLECTIONS.

WHEREAS, the collection of raw fish tax is a critical source of revenue for the local municipalities and the State of Alaska, and

WHEREAS, the municipalities have been unable to obtain any data concerning collection of raw fish tax, and

WHEREAS, the municipalities would provide considerable information and assistance to the Department of Revenue if given the opportunity, and

WHEREAS, the municipalities have been effectively managing confidential information for many years, and

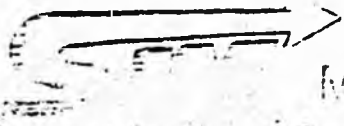
WHEREAS, the municipalities concur with the sensitivity of the processor information and agree to treat the information as confidential information, and

WHEREAS, the Department of Fish and Game fish tickets for bottomfish have not been processed for several months which means no catch verification or fish tax verification is taking place at this time, and

WHEREAS, this information is critical for both management of the fish resource and accurate management of the fish tax collections, now

THEREFORE, BE IT RESOLVED by the Southwest Alaska Municipal Conference that Governor Cowper and the Alaska Legislature adopt legislation to:

1. Authorize the Department of Revenue to share the confidential information of fish tax collected per processor to be treated as confidential information exempt from public disclosure by the local municipalities.



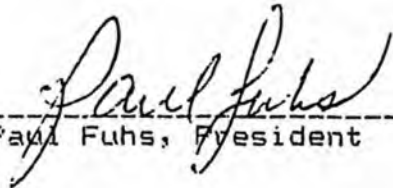
SOUTHWEST ALASKA

MUNICIPAL CONFERENCE

Southwest Alaska Municipal Conference
Resolution 87-06
Page two

- 2. Require the Department of Revenue to work cooperatively with local municipalities in verification and collection of raw fish tax including the option for a local municipality to assume the collection duties within their municipal boundaries and retain a reasonable administrative fee to cover the cost of collection.
- 3. Fund adequate staff positions within the Department of Fish and Game to properly manage the information provided on the fish tickets for all species in a timely manner to allow verification and quality information to the municipalities and an accurate accounting for the raw fish tax.

APPROVED AND ADOPTED this 1st day of March, 1987.



Paul Fuhs, President


Alaska
MUNICIPAL
League

TELEPHONE
(907) 586-1325

105 MUNICIPAL WAY, SUITE 301
JUNEAU, ALASKA 99801

MEMORANDUM

TO: Senator Arliss Sturgulewski, Chair
Members of the Community and Regional Affairs Committee

FROM: Scott A. Burgess, Executive Director 

DATE: February 17, 1988

SUBJECT: SB 385 - Fisheries Tax Returns

The Alaska Municipal League strongly supports SB 385 - relating to fisheries tax returns - Subsection (a) permits municipalities to determine whether fisheries businesses operating within their boundaries are properly reporting the location of their activities. Inaccurate or improper reporting of location adversely affects the entitlement of an affected municipality to its share of the fisheries license tax.

Subsection (b) is extremely important to municipalities that levy sales and use taxes on the sale or use of fisheries products. It provides an enforcement mechanism that will provide enforcement information to both the state and the municipality without violating the purpose for which the confidentiality of these records was established. The practice of taxing jurisdictions of exchanging taxpayer information for enforcement purposes is well established and should be extended to this situation.

I have enclosed a related resolution adopted by the AML membership at our annual conference in November. The resolution supports the need to share fisheries tax information between the State and municipalities. It also request adequate funding for the Department of Fish and Game to properly collect, report, and manage fish ticket information.

The AML strongly supports SB 385.

Thank you.

SAB:ph1

Enclosure

RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE

RESOLUTION NO. 88-8

A RESOLUTION CONCERNING RAW FISH TAX COLLECTIONS.

WHEREAS, the collection of raw fish tax is a critical source of revenue for the local municipalities and the State of Alaska, and

WHEREAS, the municipalities have been unable to obtain any data concerning collection of raw fish tax, and

WHEREAS, the municipalities would provide considerable information and assistance to the Department of Revenue if given the opportunity, and

WHEREAS, the municipalities have been effectively managing confidential information for many years, and

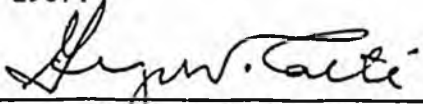
WHEREAS, the municipalities concur with the sensitivity of the processor information and agree to treat the information as confidential information, and

WHEREAS, the Department of Fish and Game fish tickets for bottomfish have not been processed for several months, which means no catch verification or fish tax verification is taking place at this time, and

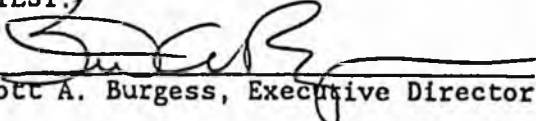
WHEREAS, this information is critical for both management of the fish resource and accurate management of the fish tax collections;

NOW, THEREFORE, BE IT RESOLVED by the Alaska Municipal League that Governor Cowper and the Alaska Legislature adopt legislation to fund adequate staff positions within the Department of Fish and Game to properly manage the information provided on the fish tickets for all species in a timely manner to allow verification and quality information to the municipalities and an accurate accounting for the raw fish tax.

Adopted this 13th day of November 1987.


George W. Carte', President

ATTEST:


Scott A. Burgess, Executive Director

ALEUTIANS EAST BOROUGH

SERVING THE COMMUNITIES OF

■ KING COVE ■ SAND POINT ■ AKUTAN ■ COLD BAY ■ FALSE PASS ■ NELSON LAGOON

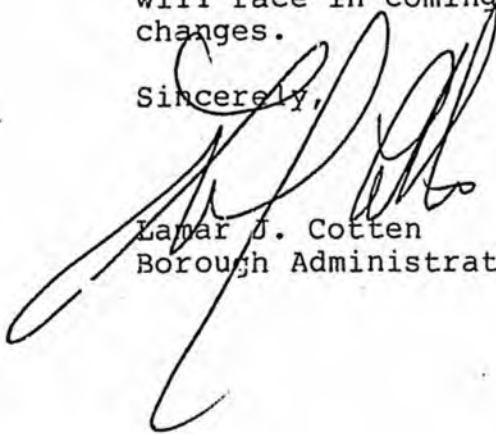
February 29, 1988

Senator Fred Zharoff
P.O. Box V
Juneau, Alaska 99811RE: SB-385 - Confidentiality Bill

Dear Senator Zharoff:

Just a short note to say that the Aleutians East Borough supports the Senate Bill 385. It will help close loop-holes in current State law while insuring a taxation policy which treats all entities equally. The bill is well overdue and will help alleviate a number of problems which communities will face in coming years as the fishing industry evolves and changes.

Sincerely,


Lamar J. Cotten
Borough Administrator

CITY OF KING COVE

P.O. Box 37 • King Cove, Alaska 99812 • (907) 497-2340

March 10, 1988

The Honorable Fred Zharoff
Alaska State Senate
P.O. Box V
Juneau, Alaska 99811

RE: SB 385

Dear Senator Zharoff:

The City of King Cove strongly supports the adoption of SB 385 an act relating to fisheries tax returns. The City believes this bill will effectively assist in accomplishing the following:

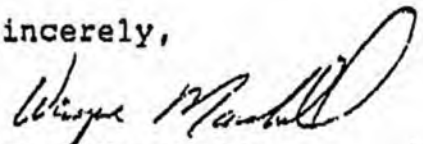
o Provide municipalities a cost-effective tool in the administration and collection of municipal sales/use taxes, particularly from floating fish processors ; and

o Provide the State and municipalities an informal avenue to share information and identify processors which are operating in respective areas of the State. This information sharing will enhance the prospects for the State and municipalities to collect tax revenues each is owed, again, particularly from floating processors.

The main problem confronting coastal municipalities are that they are often unaware of floating fish processing activities that occur in their municipal boundaries and cannot verify the amount of fish product a processor processes. Floating fish processors operating in State waters are required to pay State Fisheries Business Taxes and this information could be an essential tool to help a municipality collect the full amount of local tax assessments it is owed. Quite simply, the large amount of territory in some coastal municipalities, particularly boroughs, and the prohibitive cost of operating onsite monitoring program make it difficult for most municipalities to effectively collect taxes from floating processors. SB 385 is not a cure-all for this problem, but it is a very positive step that will immediately benefit municipalities and the State.

The City of King Cove supports SB 385 and urges its adoption this session.

Sincerely,


Wayne Marshall
City Manager

RECEIVED MAR 3 1988

City of Sand Point

P.O. Box 249
Sand Point, Alaska 99661
(907) 363-2696

March 2, 1988

Honorable Fred Zharoff
P.O. Box V
Juneau, Alaska 99811

Dear Senator Zharoff:

The City of Sand Point supports your efforts through SB 385 to promote the exchange of the fisheries business tax information between cities and the Department of Revenue. Given the declining nature of revenues, it is mutually advantageous for cities and the Department of Revenue to cross check their sales tax figures against the gross receipts shown on the fisheries business tax form.

Sincerely,



Robert S. Juettner
City Administrator



SOUTHWEST ALASKA MUNICIPAL CONFERENCE

Box 89 • Unalaska • Alaska 99685

April 13, 1987

Carl Ohs
c/o Senator Fred Zharoff
Senate District N
Pouch V
Juneau, Ak. 99801

Dear Carl,

Thank you for meeting with Wayne, Lamar and I last week on issues of concern for the Southwest Municipal Conference. You asked that I send you a summary of the main points.

You will recall that our discussion focused on four themes.

1. Fish Tax
2. Confidentiality
3. Monitoring
4. Observer Program

Fish Tax

At the annual spring meeting in Dillingham, the Southwest Municipal Conference delegates resolved to work with legislators to develop a fish tax program that structurally benefits municipally-located processors regardless of fishery. Delegates cited the importance of shore-based and near shore-based plants for local economies. Specifically, delegates proposed the following tiered structure.

Onshore Processors	3%
Floating Processors Within Municipal Boundaries	5%
Processors Outside of Municipal Boundaries	8%

The Conference asks that this tax policy be managed to allow municipalities to retain the same percentage they presently receive in shared taxes for operations within municipal boundaries. The State will receive an increase in revenues from higher tax rates on processors operating outside municipal boundaries.

Our goal is to have legislation introduced this Session that addresses the above-listed structure. ~~House~~ Research could analyze the legislation during the interim. Modified to reflect their recommendations we would work toward passing a bill next Session.

Confidentiality

Many municipal officials complain about the veil of secrecy surrounding fish processing records. Lacking access to these records, municipalities cannot verify processors' production records. It would be in the State's interest to share these records with municipalities so that we can assist the State in its collection of unreported/underreported taxes. Local officials repeatedly testified to the discrepancies in collections within their jurisdictions.

Some argue that if municipalities had access to records it would jeopardize the competitive edge that some processors enjoy. As municipal officials we frequently handle issues sensitive in nature. Our public's trust hinges on ensuring the confidentiality of these issues and records. We do not foresee a danger to any firm's records being made public.

The Southwest Municipal Conference is requesting your assistance to:

1. Authorize the Department of Revenue to share information on fish tax collected per processor with municipalities.
2. Require the Department of Revenue to work cooperatively with municipalities in verification and collection of raw fish tax. The Conference supports giving the Department of Revenue the option to allow the municipality to assume collection duties within municipal boundaries. This option would include provisions for the municipality to retain a reasonable fee to cover costs.
3. Fund adequate Alaska Department of Fish and Game staff positions to analyze fish tickets in a timely manner for all species. This link in the system is essential to ensure accurate accounting of the raw fish tax.

Monitoring

Southwestern communities fear that bottomfish resources could be devastated through lack of proper data analysis, monitoring and observation. Although many of the management aspects of this industry are federal, the State must work with the Federal government so that the future of pollock and cod is not negotiated for concessions in other international trading issues. We understand that millions of dollars may potentially go uncollected. This figure is the difference between what Fish and Game estimates is actually processed and what Revenue reports is collected.

Observer Program

Southwest Conference delegates continue to support a required domestic observer program. Conference recommendations include:

1. The State commit \$1.4 million in FY88 State share of Fish Business Tax receipts to fund the domestic observer program recommended by the Department of Fish and Game.

2. The State approach private and public bodies to assist in funding this program for the future. This includes supporting fishermen's efforts to form a non-profit-organization that can contribute funds for an observer program by using State taxing authority to collect assessments on fishermen.
3. The State contract with private groups, such as the Southwest Municipal Conference, to operate and manage the domestic observer program.
4. The State include The Southwest Municipal Conference on any advisory board that may be established to monitor the observer program.

You indicated that the Attorney General ruled that any observer program must hire state employees under A.P.E.A. We ask that Senator Zharoff work with the Governor and the Department of Law to come up with a legal, affordable program.

If you would like further information on the Southwest Municipal Conference or our position on various issues call President Paul Fuhs at 581-1357, I may be reached at 640 W. 36th Ave., #4, Anchorage 99503 or 562-1400.

Sincerely,



John Levy
Executive Director

cc: Southwest Municipal Conference Executive Officers
Rep. Cliff Davidson
Rep. Adelheid Herrmann

Alaska State Legislature

Senate Advisory Council



P.O. Box V
State Capitol
Juneau, Alaska 99811
Phone: (907) 465-3114

MEMORANDUM

TO: Senator Zharoff
Alaska State Senate

FROM: Sheila F. Helgath, PhD *SH*
Richard Rainery
Senate Advisory Council

DATE: February 8, 1988

SUBJECT: Municipal Fisheries Taxes IR# 88-003223

You requested that the municipalities that collect an additional "raw fish tax" besides the State collected Fisheries Business Tax be identified and the methods for collection and verification be explained. The municipalities and boroughs that are collecting a raw fish tax are listed in Table One, Borough and Community Fisheries Taxation in Addition to Alaska State Fisheries Business Tax. Appendix Table One is an expanded version of Table One which lists all the communities who have processors in the state and who could potentially collect a raw fish tax. This taxation approach has been primarily implemented in Southwest Alaska where the volume of the raw fish is large. A few communities, Sitka, in particular, are considering it in Southeast Alaska. Many of the Southeast communities and the larger Southcentral and Southwest communities collect a property tax. Only 7 of the 56 communities who receive the shared revenues from Alaska State collected Fisheries Business Tax, collect additional raw fish taxes.

The advantages of the sales tax are the relative ease and lack of expense in collecting it. The disadvantage of the tax is that enforcement of the tax on offshore processors is difficult. Bristol Bay Borough had the most vigorous enforcement while Akutan relied on voluntary compliance. Enforcement ranged from audits conducted outside of the State (an expensive proposition), to reviewing Fish and Game catch data, to random audits of a few processors, to reliance on voluntary compliance. In areas where the value of the fish was high, such as Bristol Bay, monthly reports were required, in other areas quarterly reports were required.

Nearly all of the community leaders commented that they believed that offshore processors were under reporting their catch and that if the municipalities could work cooperatively with the Alaska Department of Revenue State and Local revenues would be increased. This comment was made by

officials in communities as diverse as Yakutat, King Cove, and Valdez. Another consistent complaint was the inability to project revenues without Alaska Department of Revenue data.

Table One
Borough and Community Fisheries Taxation in Addition to Alaska State
Fisheries Business Tax

<u>Communities and Boroughs</u>	<u>Municipal Fish Tax</u>	<u>Procedures & Verification</u>
Aleutians East Borough	2% Sale Use Raw Fish	No Policy Established Yet
Bristol Bay Borough	3% Raw Fish	Monthly reports from processors. Use variety of means audits, local police, and ADF&G data.
Akutan	.5% Raw Fish	Quarterly report. Unable to verify.
Clark's Point	3% Raw Fish	
King Cove	2% Raw Fish	Quarterly report. Voluntary compliance with an onshore processor.
Sandpoint	2% Sales & Fish Use	
Unalaska	1% Raw Fish	Monthly report. By annual random audits.

Source: Telephone Interviews with Municipal Officer February 1988.

Appendix Table One. Borough and Community Fisheries Taxation in Addition to Alaska State Fisheries Business Tax

Communities and Boroughs w/Processors	# Processors in 1987	Received Fisheries Business Tax from State in 1986	Additional Municipal Sales Taxes on Raw Fish in 1988	Verification
BOROUGHS				
Anchorage Municipality	29	yes	no	
Juneau	30	yes	no	
Sitka	25	yes	no but possibility of fish tax this October	
Aleutians East		no	2% sales & use raw fish	
Bristol Bay	41	yes	3% raw fish	ADF&G, audits, late penalties and personal inspections.
North Star	2	yes	no	
Haines	11	yes	no	
Kenai Peninsula	24	yes	no unless sold directly to public then sales tax applies	
Ketchikan Gateway	9	yes	no	
Kodiak Island	10	yes	no	
Matanuska-Susitna	1	yes	no	
COMMUNITIES				
Akutan	6	yes	.5% raw fish	not able to verify quarterly reports
Aniak	1	yes	no	
Anvik	1	yes	no	
Bethel	6	yes	5%	
Chignik	4	yes	no	

Communities and Boroughs w/Processors	# Processors in 1987	Received Fisheries Business Tax from State in 1986	Additional Municipal Sales Taxes on Raw Fish in 1988	Verification
Clark's Point	2	yes	3% raw fish	
Cordova	18	yes	no	
Cordova	18	yes	specifically exempts fish taxes	
Craig	1	no	no but will if some kind of landing fee isn't imposed	
Dillingham	7	yes	no	
Emmonak	1	yes	considered it for future	
Fairbanks	1	yes	no	
Fortuna Ledge	1	yes	no	
Galena	2	yes	no	
Haines	11	yes	no	
Homer	8	yes	no	
Hoonah	3	yes	no	
Hydaburg	1	yes	no	
Kake	2	yes	no	
Kaltag	1	yes	no	
Kenai	11	yes	no	
Ketchikan	37	yes	no	
King Cove	2	yes	2% raw fish	voluntary compliance onshore no compliance offshore
Klawock	2	yes	no	
Kodiak	27	yes	no	

Table One continued.

Communities and Boroughs w/Processors	# Processors in 1987	Received Fisheries Business Tax from State in 1986	Additional Municipal Sales Taxes on Raw Fish in 1988	Verification
Mountain Village	2	yes	uk	
Pelican	3	yes	no	
Petersburg	19	yes	no	
Port Alexander	2	yes	no	
Port Heiden	2	yes	no	
Saint George	1	yes	no	
Saint Marys	2	yes	3%	
Sand Point	3	yes	2% sales and fish use	
Selawik	1	yes	3%	
Seldovia	1	yes	4%	
Seward	10	yes	3%	
Soldotna	2	yes	3%	
Tenakee Springs	2	yes	1%	
Togiak	3	no	2%	
Unalakleet	1	yes	no	
Unalaska	12	yes	1% raw fish	By random audit monthly reports
Valdez	11	yes	no	

Table One continued.

Page 4

Communities and Boroughs w/Processors	# Processors 1987	Received Fisheries Business Tax from State in 1986	Additional Municipal Sales Taxes on Raw Fish	Verification
Whittier	9	yes	no	
Wrangell	21	yes	no	
Yakutat	7	yes	no	

Sources: Telephone Interviews of Municipal Officials by Senate Advisory Council February 1988, Alaska Municipal Officials Directory, Alaska Department of Environmental Conservation Processors List

2/8/88
 (CLRA) B
 (RIS)
 (Fin)

STATE OF ALASKA
 1988 LEGISLATIVE SESSION

BILL VERSION: SB 385
 PUBLISH DATE: 2/2/88

FISCAL NOTE

REQUEST:

Revision Date: 5
 Title: "An Act relating to fisheries tax returns; and providing for an effective
 Sponsor: Zharoff, Binkley, Fischer, etal
 Requestor: C & RA, Resources and Finance

Agency Affected: Revenue
 BRU: Income and Excise Audit Division

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	.5	.5	.5	.5	.5
CONTRACTUAL	-	.5	.5	.5	.5	.5
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	1.0	1.0	1.0	1.0	1.0
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	1.0	1.0	1.0	1.0	1.0
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

POSITIONS:

FULL-TIME	-	0	0	0	0	0
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Steven E. Kettel, Director Phone: (907) 465-2320
 Division: Income and Excise Audit Division Date: February 3, 1988

Approved by Commissioner: [Signature] Date: 2/5/88
 Agency: _____

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

RECEIVED
 FEB 3 1988

by SFC 4/7/88

SB 385

ANALYSIS OF SB 385

Prepared By: Steven E. Kettel
Income and Excise Audit Division
February 3, 1988

Present Alaska law prohibits the Department from sharing confidential tax information with the general public, other state or local governmental agencies or the legislature.

Also, the statutes governing the fisheries business (raw fish) tax provides that the State will share up to 50% of that tax with the communities in which the fish are processed. To many communities, this is a significant source of revenues, and with the decline in municipal assistance funding programs, many city and borough managers are becoming increasingly interested in whether they are receiving their fair share of the fish tax.

Often times, these cities have information concerning the processors that enter their jurisdictions and process fish, and in some instances, they possess detailed information concerning the amount or value of fish processed. With this information in hand, these managers have desired to exchange this information with the Department to insure that the State's fish tax is being reported correctly and that their municipality is being properly credited for revenue sharing purposes. Prohibition against disclosure at the state level has frustrated city and state administrators alike in their efforts to collect all taxes due and properly share them among the effected communities.

SB 385 provides a mechanism for the Department of Revenue to share sufficient information with municipalities to allow for enhanced compliance with the new fish tax law at both the state and local level. The law applies to two classes of information and two classes of municipalities.

I. City/Boroughs which do not levy a tax on fish resources processed in their jurisdiction may request and receive from the Department only the names of the fisheries businesses which have reported fish processing activities for that city or borough on the State's fish tax returns. No financial information contained in the return will be disclosed.

II. City/Boroughs which levy a fish tax on the value of fish processed in their jurisdiction may request the Department to verify that values reported on their tax returns are substantially the same as values reported on the State's return. If the values are not the same, the Department will give the municipality a copy of the State tax return, provided the municipality safeguards the information and uses it only for tax collection purposes.

SENATE COMMITTEE REPORT

FURTHER Fianance

DATE TURNED INTO OFFICE _____

2/22/88

Mr. President:

Resources _____

Committee considered SB 385 _____

fisheries tax returns; efd

and recommended

[] replace with _____ CS _____) [] same title
[] or adopt _____ CS _____) [] new title

[] attached amendment(s) and

Memo
[] do pass

[] do not pass

[] no recommendation

[] individual recommendations

[] further referral to _____

[] letter of intent adopted _____

Committee [] attached or [] adopted fiscal note(s)

[] new [] updated or [] previous *40*

[] zero [] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Handwritten signatures]

[Handwritten signature]

Chairman signature and recommendation

[] Committee Backup attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 2/11/88 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: Resources
Finance

**FISCAL NOTE(S) ATTACHED yes **
IN ACCORDANCE WITH AS 24.08.035
(see below)

2/2/88
Mr. President:

DATE TURNED INTO OFFICE 2/18/88

C&RA Committee considered SB 385

fisheries tax returns; efd

and recommended:

[] replace with CS _____ [] same title
[] new title

[] attached amendment(s) and

majority
[X] do pass

[] do not pass

[] no recommendation

[X] individual recommendations

[] further referral to _____

[] letter of intent adopted and attached

** Committee [X] attached or [] adopted fiscal note(s)
[] zero [X] fiscal impact

FN

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Fred T. Zboroff
Mike Zyglidopoulos

Arlin Sturgulinski Do Pass
Chairman signature and recommendation

[X] Committee Backup Attached