

AK LEGISLATURE FINANCE COMMITTEES FILES 2007-2008 3186

HB

96

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
 APR 12 2007
 SENATE FINANCE COMMITTEE

DATE: 3/28/07

FURTHER:

DATE TURNED
 IN TO OFFICE: 13 April 2007

Finance Committee considered CS FOR HOUSE BILL NO. 96(FIN)

HB 96 APPROP: MENTAL HEALTH BUDGET

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and recommends:

- be replaced with SCS or CS CS HB 96 (FIN)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:
 Same Title
 New Title

HOUSE BILL:
 Same Title
 Technical Title Change
 New Title w/
 SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
	Elton	<input checked="" type="checkbox"/>			
	Thomas	<input checked="" type="checkbox"/>			
	Dyson				<input checked="" type="checkbox"/>
	Huggins	<input checked="" type="checkbox"/>			
	Gerson			<input checked="" type="checkbox"/>	
CO-CHAIR:	Stedman	<input checked="" type="checkbox"/>			
CO-CHAIR:	Hoffman	<input checked="" type="checkbox"/>			

Adopted 4/12/07

WORK DRAFT

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25-GH1015L
Bailey
4/12/07

SENATE CS FOR CS FOR HOUSE BILL NO. 96(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations for the operating and capital expenses of the state's
2 integrated comprehensive mental health program; and providing for an effective date."

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

4 (SECTION 1 OF THIS ACT BEGINS ON PAGE 2)

1 * Section 1. The following appropriation items are for operating expenditures from the
 2 general fund or other funds as set out in section 2 of this Act to the agencies named for the
 3 purposes expressed for the fiscal year beginning July 1, 2007 and ending June 30, 2008,
 4 unless otherwise indicated. A department-wide, agency-wide, or branch-wide unallocated
 5 reduction set out in this section may be allocated among the appropriations made in this
 6 section to that department, agency, or branch.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Department of Administration *****		

12	Legal and Advocacy Services	1,700,100	1,700,100
13	Office of Public Advocacy	1,549,700	
14	Public Defender Agency	150,400	
15		*****	*****
	***** Department of Corrections *****		
17		*****	*****
18	Administration and Operations	611,500	611,500

19 It is the intent of the legislature that the Department of Corrections work collaboratively with
 20 the Alaska Mental Health Trust Authority and the Department of Health and Social Services
 21 in the development and sustainable implementation of new and existing treatment services
 22 and programs to serve Trust beneficiaries and other inmates, as well as programs that connect
 23 inmates to treatment services and programs outside Corrections, including therapeutic courts;
 24 Assess, Plan Identify, Coordinate Discharge program; Residential Substance Abuse Treatment
 25 programs; and planning for mental health and treatment services within new correctional
 26 facilities, among others. The goals of this work include reducing recidivism, improving
 27 public safety, increasing the safety of correctional officers, reintegrating offenders into
 28 society, and reducing costs to the state.

29	Offender Habilitation	611,500	
30	Programs		

31 It is the intent of the legislature that the Department will develop plans and proposals for

	Appropriation	General	Other
	Allocations	Funds	Funds
1			
2			
3	inmate habilitation and reentry programs that can be undertaken during FY08; identify federal		
4	or other funding sources available for such programs; and seek receipt authority for those		
5	identified funds.		
6	Inmate Health Care	5,897,200	5,687,200
7	Inmate Health Care	5,897,200	210,000
8	*****	*****	
9	***** Department of Education and Early Development *****		
10	*****	*****	
11	Teaching and Learning Support	349,400	49,400
12	Student and School	349,400	
13	Achievement		300,000
14	Alaska Postsecondary	200,000	200,000
15	Education Commission		
16	Program Administration &	200,000	
17	Operations		
18	*****	*****	
19	***** Department of Health and Social Services *****		
20	*****	*****	
21	Alaskan Pioneer Homes	12,511,600	12,511,600
22	Alaska Pioneer Homes	64,300	
23	Management		
24	Pioneer Homes	12,447,300	
25	Behavioral Health	86,303,800	62,753,500
26	Alcohol Safety Action	305,400	23,550,300
27	Program (ASAP)		
28	Behavioral Health Medicaid	32,156,100	
29	Services		
30	Behavioral Health Grants	15,918,900	
31	Behavioral Health	2,473,100	
32	Administration		
33	Community Action Prevention	958,100	

		Appropriation		General	Other
		Allocations	Items	Funds	Funds
1					
2					
3	& Intervention Grants				
4	Rural Services and Suicide	2,115,200			
5	Prevention				
6	Psychiatric Emergency	6,103,400			
7	Services				
8	Services to the Seriously	9,299,300			
9	Mentally Ill				
10	Designated Evaluation and	1,211,900			
11	Treatment				
12	Services for Severely	8,600,200			
13	Emotionally Disturbed Youth				
14	Alaska Psychiatric Institute	7,162,200			
15	Children's Services		11,728,600	11,548,600	180,000
16	Children's Medicaid Services	3,830,000			
17	Children's Services	64,100			
18	Management				
19	Front Line Social Workers	148,600			
20	Foster Care Augmented Rate	500,000			
21	Foster Care Special Need	747,900			
22	Residential Child Care	1,956,300			
23	Infant Learning Program	4,481,700			
24	Grants				
25	Adult Preventative Dental		1,425,000		1,425,000
26	Medicaid Services				
27	Adult Preventative Dental	1,425,000			
28	Medicaid Services				
29	Juvenile Justice		558,600	369,400	189,200
30	McLaughlin Youth Center	348,400			
31	Fairbanks Youth Facility	94,700			
32	Bethel Youth Facility	55,700			
33	Probation Services	59,800			

		Appropriation	General	Other
		Allocations	Funds	Funds
3	Public Health		216,600	
4	Certification and Licensing	118,300		
5	Community Health Grants	98,300		
6	Senior and Disabilities		13,904,400	747,800
7	Services			
8	Senior and Disabilities	2,294,900		
9	Services Administration			
10	Protection and Community	740,300		
11	Services			
12	Senior Community Based	2,944,400		
13	Grants			
14	Community Developmental	7,924,800		
15	Disabilities Grants			
16	Departmental Support Services		1,739,000	80,000
17	Office of Program Review	98,400		
18	Administrative Support	393,100		
19	Services			
20	Health Planning and	80,000		
21	Infrastructure			
22	Information Technology	817,500		
23	Services			
24	HSS State Facilities Rent	350,000		
25	Boards and Commissions		1,611,500	1,042,600
26	AK Mental Health & Alcohol	819,400		
27	& Drug Abuse Boards			
28	Commission on Aging	130,600		
29	Governor's Council on	536,000		
30	Disabilities and Special			
31	Education			
32	Suicide Prevention Council	125,500		

	Appropriation		General	Other
	Allocations	Items	Funds	Funds
1				
2				
3	*****	*****		
4	***** Department of Law	*****		
5	*****	*****		
6	Civil Division	76,700	76,700	
7	Human Services and Child	76,700		
8	Protection			
9	*****	*****		
10	***** Department of Natural Resources	*****		
11	*****	*****		
12	Resource Development	1,653,700		1,653,700
13	Mental Health Trust Lands	1,653,700		
14	Administration			
15	*****	*****		
16	***** Department of Revenue	*****		
17	*****	*****		
18	Alaska Mental Health Trust	2,213,000		2,213,000
19	Authority			
20	Mental Health Trust	2,213,000		
21	Operations			
22	*****	*****		
23	***** University of Alaska	*****		
24	*****	*****		
25	University of Alaska	1,285,800	200,800	1,085,000
26	Statewide Services	300,000		
27	Anchorage Campus	945,800		
28	Fairbanks Campus	40,000		
29	*****	*****		
30	***** Alaska Court System	*****		
31	*****	*****		
32	Alaska Court System	827,700	589,900	237,800
33	Trial Courts	827,700		

1
2
3

Appropriation	General	Other
Allocations	Funds	Funds
(SECTION 2 OF THIS ACT BEGINS ON PAGE 8)		

1 * Sec. 2. The following sets out the funding by agency for the appropriations made in sec. 1 of
 2 this Act.

3 Funding Source	Amount
4 Department of Administration	
5 1037 General Fund / Mental Health	1,700,100
6 *** Total Agency Funding ***	\$1,700,100
7 Department of Corrections	
8 1037 General Fund / Mental Health	6,298,700
9 1092 Mental Health Trust Authority Authorized	210,000
10 Receipts	
11 *** Total Agency Funding ***	\$6,508,700
12 Department of Education and Early Development	
13 1037 General Fund / Mental Health	49,400
14 1092 Mental Health Trust Authority Authorized	500,000
15 Receipts	
16 *** Total Agency Funding ***	\$549,400
17 Department of Health and Social Services	
18 1037 General Fund / Mental Health	102,784,200
19 1092 Mental Health Trust Authority Authorized	8,322,200
20 Receipts	
21 1180 Alcohol and Other Drug Abuse Treatment &	18,892,700
22 Prevention Fund	
23 *** Total Agency Funding ***	\$129,999,100
24 Department of Law	
25 1037 General Fund / Mental Health	76,700
26 *** Total Agency Funding ***	\$76,700
27 Department of Natural Resources	
28 1092 Mental Health Trust Authority Authorized	1,653,700
29 Receipts	
30 *** Total Agency Funding ***	\$1,653,700
31 Department of Revenue	

1	1094 Mental Health Trust Administration	2,213,000
2	*** Total Agency Funding ***	\$2,213,000
3	University of Alaska	
4	1037 General Fund / Mental Health	200,800
5	1092 Mental Health Trust Authority Authorized	1,085,000
6	Receipts	
7	*** Total Agency Funding ***	\$1,285,800
8	Alaska Court System	
9	1037 General Fund / Mental Health	589,900
10	1092 Mental Health Trust Authority Authorized	237,800
11	Receipts	
12	*** Total Agency Funding ***	\$827,700
13	***** Total Budget *****	\$144,814,200
14	(SECTION 3 OF THIS ACT BEGINS ON PAGE 10)	

1 * Sec. 3. The following sets out the statewide funding for the appropriations made in sec. 1 of
2 this Act.

3	Funding Source	Amount
4	General Funds	
5	1037 General Fund / Mental Health	111,699,800
6	***Total General Funds***	\$111,699,800
7	Federal Funds	
8	***Total Federal Funds***	\$0
9	Other Non-Duplicated Funds	
10	1097 Mental Health Trust Authority Authorized	12,008,700
11	Receipts	
12	1094 Mental Health Trust Administration	2,213,000
13	1180 Alcohol and Other Drug Abuse Treatment &	18,892,700
14	Prevention Fund	
15	***Total Other Non-Duplicated Funds***	\$33,114,400
16	Duplicated Funds	
17	***Total Duplicated Funds***	\$0

18 (SECTION 4 OF THIS ACT BEGINS ON PAGE 11)

1 * Sec. 4. The following appropriation items are for capital projects and grants from the
 2 general fund or other funds as set out in section 5 of this Act by funding source to the
 3 agencies named for the purposes expressed and lapse under AS 37.25.020, unless otherwise
 4 noted.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Department of Natural Resources *****		
	*****	*****	
10	Mental Health Trust Land	650,000	650,000
11	Development (HD 1-40)		

12 (SECTION 5 OF THIS ACT BEGINS ON PAGE 12)

1 * Sec. 5. The following sets out the funding by agency for the appropriations made in sec. 4 of
2 this Act.

3	Funding Source	Amount
4	Department of Natural Resources	
5	1092 Mental Health Trust Authority Authorized Receipts	650,000
6	*** Total Agency Funding ***	\$650,000
7	* * * * * Total Budget * * * * *	\$650,000

8 (SECTION 6 OF THIS ACT BEGINS ON PAGE 13)

1 * Sec. 6. The following sets out the statewide funding for the appropriations made in sec. 4 of
2 this Act.

3	Funding Source	Amount
4	General Funds	
5	***Total General Funds***	\$0
6	Federal Funds	
7	***Total Federal Funds***	\$0
8	Other Non-Duplicated Funds	
9	1092 Mental Health Trust Authority Authorized	650,000
10	Receipts	
11	***Total Other Non-Duplicated Funds***	\$650,000
12	Duplicated Funds	
13	***Total Duplicated Funds***	\$0

14 (SECTION 7 OF THIS ACT BEGINS ON PAGE 14)

1 * **Sec. 7. PURPOSE.** In accordance with AS 37.14.003 and 37.14.005, the appropriations
2 made by this Act are for the state's integrated comprehensive mental health program.

3 * **Sec. 8. NONGENERAL FUND RECEIPTS.** (a) Alaska Mental Health Trust Authority
4 authorized receipts (AS 37.14.036) or administration receipts (AS 37.14.036) that exceed the
5 amounts appropriated by this Act are appropriated conditioned upon compliance with the
6 program review provisions of AS 37.07.080(h).

7 (b) If Alaska Mental Health Trust Authority authorized receipts (AS 37.14.036) or
8 administration receipts (AS 37.14.036) fall short of the estimates appropriated in this Act, the
9 affected appropriation is reduced by the amount of the shortfall in receipts.

10 * **Sec. 9. SALARY AND BENEFIT ADJUSTMENTS.** (a) The appropriations made in sec.
11 1 of this Act include amounts for salary and benefit adjustments for public officials, officers,
12 and employees of the executive branch, Alaska Court System employees, employees of the
13 legislature, and legislators and to implement the terms for the fiscal year ending June 30,
14 2008, of the following collective bargaining agreements:

15 (1) Alaska Public Employees Association, for the Confidential Unit;

16 (2) Alaska Public Employees Association, for the Supervisory Unit;

17 (3) Alaska State Employees Association, for the General Government Unit;

18 (4) Marine Engineers Beneficial Association, representing licensed engineers
19 employed by the Alaska marine highway system;

20 (5) Public Employees Local 71, for the Labor, Trades and Crafts Unit;

21 (6) Inlandboatmen's Union of the Pacific, representing the unlicensed marine
22 unit;

23 (7) International Organization of Masters, Mates, and Pilots, for the Masters,
24 Mates, and Pilots Unit;

25 (8) Public Safety Employees Association, representing regularly
26 commissioned public safety officers;

27 (9) Alaska Correctional Officers Association, representing correctional
28 officers;

29 (10) Alaska Vocational Technical Center Teachers' Association - National
30 Education Association, representing employees of the Alaska Vocational Technical Center;

31 (11) Teachers' Education Association of Mt. Edgecumbe.

1 (b) The operating budget appropriations made to the University of Alaska in sec. 1 of
2 this Act include amounts for salary and benefit adjustments for the fiscal year ending June 30,
3 2008, for university employees who are not members of a collective bargaining unit and for
4 implementing the monetary terms of the collective bargaining agreements including the terms
5 of the agreement providing for the health benefit plan for university employees represented by
6 the following entities:

7 (1) Alaska Higher Education Crafts and Trades Employees;

8 (2) Alaska Community Colleges' Federation of Teachers;

9 (3) United Academics;

10 (4) United Academics-Adjuncts.

11 (c) If a collective bargaining agreement listed in (a) or (b) of this section is not ratified
12 by the membership of the respective collective bargaining unit, the appropriations made by
13 this Act that are applicable to that collective bargaining unit's agreement are reduced
14 proportionately by the amount for that collective bargaining agreement, and the corresponding
15 funding source amounts are reduced accordingly.

16 (d) Appropriations made in sec. 1 of this Act for salary and benefit adjustments as
17 described in (a) and (b) of this section are for the benefit of the state's integrated
18 comprehensive mental health program only and do not necessarily affect every group of non-
19 covered employees or every collective bargaining unit listed in (a) and (b) of this section.

20 * Sec. 10. This Act takes effect July 1, 2007.

HB

98

HFFIN

FILE

SARAH PALIN
GOVERNOR

GOVERNOR@GOV.STATE.AK.US



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JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532
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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 17, 2007

The Honorable John Harris
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Harris:

The capital budget bill that I am transmitting to you today currently contains just the minimum level of general funds necessary to secure federal or other matching funds. This budget is the starting point for discussion and negotiation with the Legislature. I look forward to working with you to craft a final capital budget that meets the needs of Alaskans and lives within our means.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Palin".

Sarah Palin
Governor

HB

106

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 28, 2008

FURTHER REFERRALS:

Date of Committee Action: 4/16/08

The FINANCE Committee considered:

HB 106

HOUSE BILL NO. 106

REPEAL FEES FOR STUDED TIRES

"An Act repealing fees imposed on the sale of new tires, the sale of certain studded tires, and the installation of certain metal studs on tires; and providing for an effective date."

Recommends it be replaced with HCS or CS for HB 106 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts:
 ADM
 CED
 COR
 CRT
 EED
 DEC
 DFG
 GOV
 HSS
 LWF
 LAW
 LEG
 MVA
 DNR
 DPS
 REV
 DOT
 UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Depts(s):	*FN#	Fiscal	Indet.	Zero

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
<u>REV</u>	<u>2</u>	<input checked="" type="checkbox"/>		

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<u>FOSTER</u>	<u>FOSTER</u>	<input checked="" type="checkbox"/>			
<u>Mary Nelson</u>	<u>NELSON</u>	<input checked="" type="checkbox"/>			
<u>Harvey & Crawford Jr</u>	<u>CRAWFORD</u>	<input checked="" type="checkbox"/>			
<u>Will [Signature]</u>	<u>THOMAS</u>	<input checked="" type="checkbox"/>			
<u>[Signature]</u>	<u>GARA</u>	<input checked="" type="checkbox"/>			
<u>Bob Stoltz</u>	<u>STOLTZ</u>	<input checked="" type="checkbox"/>			
<u>Mike [Signature]</u>	<u>HARTEN</u>	<input checked="" type="checkbox"/>			
<u>[Signature]</u>	<u>TOULÉ</u>			<input checked="" type="checkbox"/>	
<u>[Signature]</u>	<u>KELLY</u>	<input checked="" type="checkbox"/>			
Chair: <u>K. Meyer</u>	<u>MEYER</u>	<input checked="" type="checkbox"/>			
Chair: <u>Mike [Signature]</u>	<u>CHANCELLOR</u>	<input checked="" type="checkbox"/>			

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: HB 106
(H) Publish Date: 3/28/08

Identifier (file name): HB106-DOR-TAX-1-15-08
Title: Tire Fee Repeal

Dept. Affected: Revenue 04
RDU: Taxation and Treasury
Component: Taxation and Treasury

Sponsor: Governor
Requester: House Transportation
Component Number: 2476

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES							
Personal Services		(35.0)	(70.0)	(70.0)	(70.0)	(70.0)	(70.0)
Travel		(1.0)	(2.0)	(2.0)	(2.0)	(2.0)	(2.0)
Contractual		(2.5)	(5.2)	(5.2)	(5.2)	(5.2)	(5.2)
Supplies		(0.5)	(1.0)	(1.0)	(1.0)	(1.0)	(1.0)
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING		(39.1)	(78.2)	(78.2)	(78.2)	(78.2)	(78.2)
CAPITAL EXPENDITURES		0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()		(1,184.0)	(1,515.0)	(1,530.0)	(1,546.0)	(1,562.0)	(1,578.0)

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF		(39.1)	(78.2)	(78.2)	(78.2)	(78.2)	(78.2)
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	(39.1)	(78.2)	(78.2)	(78.2)	(78.2)	(78.2)

Estimate of any current year (FY2008) cost: C.C

POSITIONS

Full-time		-0.5	-1	-1	-1	-1	-1
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

See Attached.

Prepared by: Dan Stickel, Economist
Division: Tax

Phone: (907) 465-3279
Date/Time: 1/15/08 12:00 AM

Approved by: Jerry Burnett
Department of Revenue

Date: 1/15/2008

FISCAL NOTE #2

STATE OF ALASKA
2008 LEGISLATIVE SESSION

BILL NO. HB 106

ANALYSIS CONTINUATION

Bill Language: Alaska's tire fee has two components: a \$2.50 fee per tire on all new tires sold in Alaska and an additional \$5 fee per tire on all new tires with heavy studs and the installation of heavy studs in new or used tires. This bill would repeal both components of Alaska's tire fee.

The effective date of the bill, originally introduced in January 2007, is July 1, 2007. However, our analysis presented here is based on the assumption that the effective date will be changed to July 1, 2008.

Revenues: According to the Alaska State Accounting System (AKSAS), the tire fee generated \$1,511,000 in FY 2007.

In the Department of Revenue's Fall 2007 revenue forecast, tire fees are projected to generate the following revenues:

FY 2009: \$1,499,000
FY 2010: \$1,515,000
FY 2011: \$1,530,000
FY 2012: \$1,546,000
FY 2013: \$1,562,000
FY 2014: \$1,578,000

With the repeal of the tire fee, there will be no revenue from the fee in FY 2010 and beyond. In FY 2009, there will be revenue from returns for the April-June 2008 quarter. These returns are due July 30, 2008, with projected revenue totaling \$315,000. This estimate is less than 25% of the full year forecast because of seasonality; AKSAS data indicate that in FY 2007, only 21% of the year's revenue was attributable to the April-June quarter. The projected FY 2009 revenue loss from repealing the tire fee is \$1,184,000 (\$1,499,000 - \$315,000).

Expenditures: The legislature funded one new position in the Department of Revenue when the tire fee became effective on September 26, 2003. The position was a Tax Technician III (Range 14). The expenditures section of this fiscal note represents the elimination of this position. The estimated reduction in expenditures in FY 2009 is lower than in following years because work related to the fee will continue for at least two quarters following elimination of the fee.

State of Alaska

Department of Revenue
Commissioner's Office



SARAH PALIN, GOVERNOR
333 Willoughby Avenue, 11th Floor
P.O. Box 110400
Juneau, Alaska 99811-0405
Phone: (907) 465-2300
Fax: (907) 465-2394

April 4, 2008

The Honorable Kevin Meyer
Co- Chairman, House Finance Committee
State Capitol, Room 515
Juneau, AK 99801

Dear Representative Meyer:

Thank you for scheduling House Bill 106, An Act repealing fees imposed on the sale of new tires, the sale of certain studded tires, and the installation of certain metal studs on tires; and providing for an effective date for a hearing. House Bill 106 would repeal fees imposed on the sale of new tires, the sale of certain studded tires, and the installation of certain metal studs on tires.

Current law imposes a fee of \$2.50 a tire on the retail sale of new tires for motor vehicles designed for use on a highway. Current law also imposes an additional fee of \$5.00 a tire on the retail sale of new tires that are studded with metal studs weighing more than 1.1 grams each on the installation of such metal studs on tires. Families in Alaska should not be financially penalized by purchasing safer tires for their vehicles.

Accompanying this letter is a copy of the Tax Division's 2007 annual report of operations for each member of the Finance Committee. The tire tax is described on pages 62 and 63 of the report.

Sincerely,

Jerry Burnett
Director, Administrative Services
Alaska Department of Revenue

Annual Report



2007

Available online at www.tax.state.ak.us

Alaska Tax Division 2007 Annual Report



This annual report covers fiscal year 2007 ended June 30, 2007.

This report provides an overview of programs administered by the Tax Division and statistics of revenue collections and other information related to those programs.

The figures in this Tax Division Annual Report differ slightly from those of the Revenue Sources Book (www.tax.state.ak.us) due to timing issues. Some amounts which should have been recorded in the following fiscal year were recorded in F-Y 2007 in the state accounting system.

Alaska Tax Division 2007 Annual Report

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Tax Division Overview

The Tax Division administers the following programs which generate a significant portion of General Fund revenue used for funding state government and projects throughout Alaska.

Programs Administered by the Tax Division

Oil and Gas Taxes

- Conservation Surcharge
- Corporate Income
- Production
- Property

Excise Taxes

- Alcoholic Beverages
- Commercial Passenger Vessel
- Motor Fuel
- Tire Fee
- Tobacco
- Vehicle Rental

Other Taxes

- Electric Cooperative
- Estate
- Large Passenger Vessel
- Gambling Tax
- Mining License
- Regulatory Cost Charges
- Telephone Cooperative

Corporate Income Tax (Other than oil and gas)

Fisheries Taxes

- Dive Fishery Management
- Fisheries Business
- Fishery Resource Landing
- Salmon Enhancement
- Seafood Development
- Seafood Marketing

Other Programs

- Gaming
- Revenue Sources Reporting
- Salmon Price Reporting
- Unclaimed Property

Figure 1 – Three-Year Comparison of Revenue Collections

Program (All Funds)	FY 2007	% Fund	FY 2006	% Fund	FY 2005	% Fund
Oil and Gas						
Production ¹	\$2,288,986,515	64.55%	\$1,194,317,635	51.14%	\$880,644,819	50.82%
Corporate Income ¹	676,111,422	19.07%	702,211,982	30.06%	529,944,518	30.58%
Property ¹	65,692,167	1.85%	54,557,701	2.34%	42,911,633	2.48%
Conservation Surcharge	10,103,767	0.28%	7,758,733	0.33%	8,330,521	0.48%
Total Oil and Gas	<u>3,040,893,871</u>	<u>85.76%</u>	<u>1,958,846,051</u>	<u>83.87%</u>	<u>1,461,831,491</u>	<u>84.36%</u>
Corporate Income - Other than Oil and Gas	177,011,212	4.99%	137,993,460	5.91%	61,625,072	3.57%
Mining License	79,141,526	2.23%	18,637,996	0.80%	10,317,238	0.60%
Tobacco ²	72,675,933	2.05%	65,450,975	2.80%	56,167,272	3.24%
Motor Fuel ³	39,685,312	1.12%	42,110,897	1.80%	39,564,565	2.28%
Alcoholic Beverages ⁴	36,038,464	1.02%	35,225,076	1.51%	35,516,650	2.05%
Fisheries Business ⁵	35,589,331	1.00%	32,487,173	1.39%	25,559,474	1.47%
Commercial Passenger Vessel	15,981,734	0.45%	N/A	N/A	N/A	N/A
Fishery Resource Landing ¹	11,011,954	0.31%	10,478,888	0.45%	8,645,226	0.50%
Vehicle Rental	8,018,609	0.23%	7,657,116	0.33%	7,498,991	0.43%
Regulatory Cost Charges	7,885,161	0.22%	7,131,107	0.31%	6,481,427	0.37%
Seafood Marketing	7,680,949	0.22%	6,357,576	0.27%	3,523,372	0.20%
Salmon Enhancement ¹	4,356,969	0.12%	4,379,249	0.19%	3,811,492	0.22%
Gaming	2,445,627	0.07%	2,409,819	0.10%	2,457,812	0.14%
Telephone Cooperative	2,062,277	0.06%	1,905,896	0.08%	2,029,808	0.12%
Electric Cooperative ¹	2,029,554	0.06%	1,971,890	0.08%	1,939,598	0.11%
Tire Fee	1,511,917	0.04%	1,618,687	0.07%	1,578,885	0.09%
Seafood Development	1,266,333	0.04%	152,465	0.01%	N/A	0.00%
Dive Fishery Management	426,006	0.01%	273,521	0.01%	411,267	0.02%
Estate	133,081	0.00%	576,261	0.02%	1,538,592	0.09%
Salmon Marketing	20,981	0.00%	48,795	0.00%	2,455,256	0.14%
Total All Funds	<u>\$ 3,545,865,901</u>	<u>100.00%</u>	<u>\$2,335,712,698</u>	<u>100.00%</u>	<u>\$1,732,953,489</u>	<u>100.00%</u>

¹ Includes amounts transferred to Constitutional Budget Reserve Fund. Oil and gas (property tax) amounts are net of credits for local government property tax paid. Amounts paid to local governments are \$247,159,720 in FY 2007, \$233,512,602 in FY 2006 and \$218,294,036 in FY 2005.

² Includes amounts transferred to School Fund and Tobacco Use Education and Cessation Fund.

³ Prior to sharing with municipalities or aquaculture associations.

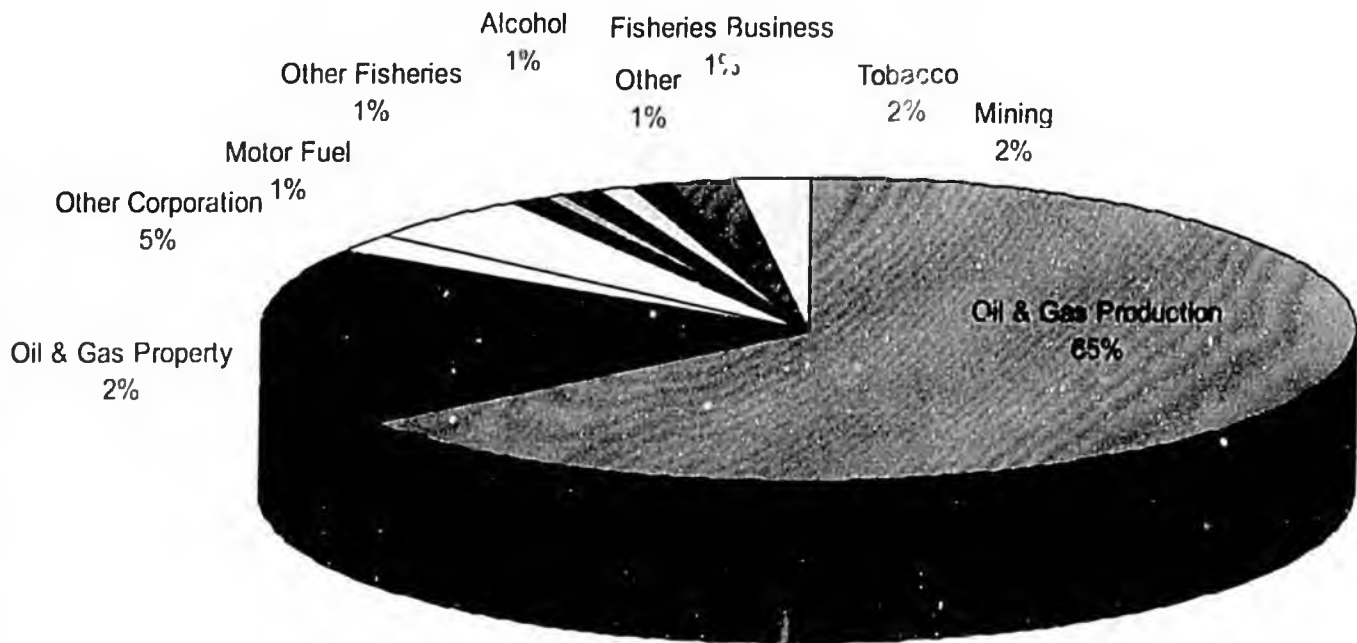
⁴ Includes amounts transferred to the Alcohol and Other Drug Abuse Treatment and Prevention Fund.

Note: The following are included in program revenue collections above. These amounts were required to be transferred to designated funds under provisions of the Alaska Constitution or Alaska Statutes.

Constitutional Budget Reserve Fund

Oil & Gas Corporate Income	\$83,518,505	82.63%	\$31,140,602	94.05%	\$5,714,388	20.85%
Oil & Gas Production	17,510,672	17.32%	2,556,312	5.84%	21,310,000	77.77%
Oil and Gas Property	50,640	0.05%	50,268	0.11%	376,915	1.38%
Mining License	0	0.00%	0	0.00%	0	0.00%
Total CBRF	<u>\$101,079,817</u>	<u>100.00%</u>	<u>\$43,747,182</u>	<u>100.00%</u>	<u>\$27,401,303</u>	<u>100.00%</u>
School Fund	\$26,972,936	100.00%	\$27,391,201	100.00%	\$29,950,353	100.00%
Tobacco Use Education and Cessation Fund	\$3,282,925	100.00%	\$2,694,038	100.00%	\$1,111,100	100.00%
Alcohol and Other Drug Abuse Treatment and Prevention Fund	\$18,018,504	100.00%	\$17,612,538	100.00%	\$17,758,496	100.00%

Figure 2
Tax Division Collections – All Funds



Total Tax Collections \$3,545,865,901

Oil & Gas Production includes production taxes and conservation surcharges.

Other Fisheries includes fishery resource landing, dive fishery management, salmon enhancement, salmon marketing and seafood development taxes; and seafood marketing assessments.

Other includes commercial passenger vessel, estate, electric cooperative, telephone cooperative and vehicle rental taxes; tire and gaming fees; and regulatory cost charges.

2007 New Legislation

HB 2001 (Ch 1 SSSLA 07) – Alaska's Clear and Equitable Share (ACES). This legislation, passed in the special session in November 2007, increased the base oil and gas production tax rate from 22.5% to 25% and amended the progressive surcharge tax rate to 0.4% for every dollar the net profit per barrel exceeds \$30 (it was 0.25% on profits exceeding \$40 per barrel under PPT). If net profit per barrel is more than \$92.50 the progressive surcharge is 0.1% for every dollar the net profit per barrel exceeds \$92.50. Like the PPT legislation enacted in 2006, the ACES tax is levied on the net value of oil and gas production. The ACES legislation continued the authorization of credits for capital expenditures, exploration costs, prior year investments and small producer incentives with some amendments to the rate and timing of these credits.

The tax also subjects legacy fields Prudhoe Bay and Kuparuk to a standard deduction for operating expenditures. The standard deduction amount is based on 2006 operating expenditures applicable to those fields with a 3% per year inflation component. The standard deduction provision will sunset at the end of calendar year 2009, unless the legislature extends it.

The ACES legislation clarifies that the Department of Revenue may require more thorough reporting from companies on a monthly or annual basis. On March 31st of each year, companies will submit an annual tax return that

will "true-up" any tax liabilities or overpayments made throughout the year. Companies will be required to provide the Department of Revenue with their best estimates of future oil production and lease expenditures. These reporting requirements will greatly enhance the department's ability to administer the tax and forecast expenditures and revenues from oil and gas production.

Among other administrative changes, ACES provides for a class of auditors that will be exempt from the state classified pay scale, and auditors will have six years to complete production tax audits.

The majority of the ACES tax is retroactive to July 1, 2007, although some provisions are retroactive to the implementation of the PPT, on April 1, 2006, including provisions that deny deductions and credits arising for a violation of law, failure to comply with a lease or that result in or respond to an unscheduled reduction in oil or gas production or an oil spill. Work on regulations began December 2007, and the first ACES monthly estimated payments are expected to be filed at the end of February 2008. The first annual filing and "true-up" of five months difference between PPT and ACES tax rates from July 1, 2007, through December 31, 2007, will be due on March 31, 2008.

SB 84 (Ch 61 SLA 07) – Testing and Packaging of Cigarettes.

This legislation amended tobacco statutes to authorize imposing civil penalties and suspending business license endorsements for improper sale of tobacco products.

The Alaska Legislature amended the oil and gas production tax with passage of ACES legislation in a special session ended November 2007.

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Division Functions

During fiscal year 2007, the Tax Division was staffed by 121 full-time and 5 non-permanent or college intern positions; and maintained offices in Juneau and Anchorage. The division's FY 2007 operating budget was \$10.5 million.

The division is organized according to the functional groups of Accounting and Collections, Appeals, three Audit Units, Economic Research, Examination and Audit, Gaming, Investigations, Oil and Gas, Property Tax, Unclaimed Property, and the support groups of Administrative Support and Information Technology.

The unit distributes taxes and fees to municipalities in accordance with statutory requirements and periodically issues warrants to communities for the statutory portion of tax collected. The amount shared is based upon where the tax or fee is derived. In FY 2007, the Tax Division distributed \$26,281,052 to 119 Alaska communities. The following taxes and fees are subject to sharing:

- Aviation Motor Fuel
- Commercial Passenger Vessel
- Electric Cooperative
- Fisheries Business
- Fishery Resource Landing
- Telephone Cooperative
- Alcoholic Beverage License

Operations

Overview

Operations receipts and processes all tax returns and payments, except oil and gas production and property tax returns that are processed in Anchorage. Operations is comprised of Accounting and Collections, Processing, Examination and Audit, and Information Technology.

Taxes collected for fisheries business and resource landing activities in an unorganized borough are shared with municipalities through an allocation program administered by the Department of Commerce Community and Economic Development (DCCED). The Tax Division transmits funds to DCCED each year for allocation. For FY 2007, the division transmitted \$2,405,999 for additional sharing.

In conjunction with provisions for the Constitutional Budget Reserve Fund, Operations accounts for oil and gas settlement payments received by the state.

A shared tax report is prepared annually, which summarizes the amounts shared with each community. The division distributes the annual report to the public on the Internet. The report is available at www.tax.state.ak.us.

Accounting and Collections

Accounting and Collections processes payments and reconciles Tax Accounting System (TAS) revenues to the state's accounting system (AKSAS). The unit includes an enforcement function to collect delinquent tax accounts, taking actions such as filing liens and levying assets and wages. This unit also approves clearances from state agencies that are making final payment on state contracts.

The unit summarizes and reports financial data and provides financial oversight and control of agency accounting functions.

The unit data enters tax return information into the division's databases – TAS (Tax Accounting System) and DEE (Data Entry and Examination). More than 30,000 returns are processed annually through this unit, distributed to the

*The Tax Division's
FY 2007 operating
budget was
\$10.5 million.*

The Gaming group publishes an annual report that is available at www.tax.state.ak.us.

appropriate examination unit and ultimately filed or archived.

Examination and Audit

Examination and Audit is responsible for corporate and fisheries taxes. The primary function of the section is to efficiently and accurately process a high volume of tax returns.

The Examination and Audit section includes the Corporate Tax and Fisheries Tax units.

Corporate Tax receives corporation, partnership and other informational returns associated with the corporate net income tax and assists in updating corporate tax return forms to reflect changes in federal and Alaska tax laws.

The unit conducts compliance activities such as securing returns from businesses and individuals required to file tax returns, comparing internal data with information from external agencies (IRS and Alaska Department of Commerce, Community and Economic Development) to identify potential taxpayers, and following up on compliance leads from internal and external sources.

Fisheries Tax processes license requests and examines tax returns for all fisheries related taxes. The unit also licenses fisheries businesses that process or export fisheries resources from the state.

As part of the licensing function, the unit accounts for cash prepayments and other forms of security submitted by processors to secure payment of their fisheries business tax liabilities.

The unit also administers the fish processor surety bonding program as surety against future claims from employees and fishermen.

This unit examines returns for the following tax types: fisheries business, dive fishery management, fishery resource landing, salmon enhancement and seafood development; and Alaska seafood marketing assessments.

Information Technology

The Information Technology Unit maintains databases and provides technical computer support to the division. The unit also maintains online applications, the division's website and provides assistance in forms publishing.

The unit researches, coordinates, develops and implements technical upgrades that enhance customer service to Alaska's taxpayers.

Gaming

Gaming issues annual permits to not-for-profit organizations to conduct gaming activities and licenses operators to conduct gaming activities on behalf of permittees. Gaming also issues licenses to pull-tab manufacturers and distributors.

The Gaming group publishes an annual report that includes more detailed information and descriptions of the program. The report is available at www.tax.state.ak.us.

Gaming conducts compliance audits to ensure gaming activities are conducted within the scope of gaming laws.

Economic Research

Economic Research is responsible for monitoring and forecasting the state's revenues.

Economic Research monitors state and national economic conditions, national and international oil markets, and conducts research needed to anticipate economic and

business trends that affect state tax revenue. The unit works with other state agencies to compile information for the Revenue Sources Book, a semi-annual publication that contains historical and forecasted revenue information to assist the governor and legislature in developing the state's budget; the book is available at www.tax.state.ak.us.

The Economic Research group also provides monthly updates on the state's cash flow and a comparison to the amounts projected in the Revenue Sources Book to provide the most up-to-date information.

The Economic Research group publishes average Alaska North Slope crude oil and natural gas price information. The price information, known as "prevailing value," is one of the key variables used to determine tax liability from oil and gas production. The group provides daily and weekly updates on prices, with a comparison of the recent data to that forecast in the Revenue Sources Book.

The Economic Research group publishes statewide average price information (from data provided by Department of Fish and Game) for fishery resources landed in the state. Taxpayers use the average price information to calculate their fishery resource landing tax liabilities.

The Economic Research group prepares and presents to the legislature fiscal notes projecting the costs and revenues from proposed legislation that would affect the state fiscal system.

The Economics Research group responds to requests from the legislature, administration, taxpayers and the public on a host of issues. The Economics Research group also serves as an interface for the

state with the media on issues related to state revenue and oil production.

Audit

The audit groups are the division's core technical and analytical resource that provide support for many functions in the division. Audit drafts and implements regulations, conducts special projects and provides support to Appeals.

The audit function consists of the following groups.

Income Audit - audits corporate net income tax (including oil and gas corporate income taxes).

Production Audit - receives oil and gas production returns, examines and processes the payments. This group also audits oil and gas production taxes.

Excise Audit - licenses mining operations, and examines and audits returns for the following tax types: alcoholic beverages, commercial passenger vessel, mining license, motor fuel, tire fee, tobacco and vehicle rental.

Gaming Audit - responsible for financial compliance of permittees, operators, and distributors.

Fish Audit - responsible for auditing fisheries-related tax returns including dive fishery management, fisheries business, fishery resource landing, salmon enhancement and seafood development taxes, and seafood marketing assessments.

Appeals

Appeals conducts informal conferences on protested assessments, issues informal conference decisions, and represents the division in formal hearings before the Office of Administrative Hearings. In addition,

The Economic Research group publishes a Revenue Sources Book that is available at www.tax.state.ak.us.

The Investigations group investigates and inspects gaming operations and tobacco distributors and retailers.

Appeals provides assistance for all programs and tax types administered by the division.

Oil and Gas Property Tax

Oil and Gas Property Tax conducts appraisals on all oil and gas related property in the state of Alaska. It also performs compliance and collection functions and processes oil and gas property tax returns.

Additionally, the division or taxpayers may initiate audits. Audits and appraisals conducted by the unit are typically highly specialized valuations. The municipalities share in some of the unit's duties under a Memorandum of Agreement (MOA). Engineering and appraisal experts assist under contract as needed.

Investigations

Investigations focus on gaming and tobacco tax investigations by conducting field inspections. The group investigates and inspects gaming operations and tobacco distributors and retailers.

Unclaimed Property

Unclaimed Property receives and accounts for personal property that is abandoned by persons who live in or had nexus with Alaska. Properties are presumed abandoned after a period of time of no activity. Abandoned properties, mostly in the form of funds from bank accounts, uncashed checks, and stocks and bonds, are required to be reported and remitted to Unclaimed Property annually.

Unclaimed Property processes claims submitted by owners who learn they have unclaimed property held by the state. Staff verify the owner's identity and remit funds or property to owners upon verification. Unclaimed Property is affiliated with a national website, www.missingmoney.com, that lists unclaimed property information by owner name for properties held by Alaska and other states.

Figure 4 - Revenue Collections Detail

Listed in order of total amount of revenue collected

TAX TYPE	FY 2007	FY 2006	FY 2005
OIL AND GAS TAXES			
General Fund revenue			
Production	\$2,271,475,843	\$1,191,761,323	\$859,334,819
Conservation Surcharge	10,103,767	7,758,733	8,330,521
Property Tax	312,801,256	288,020,035	260,823,754
Local credits	<u>(247,159,729)</u>	<u>(233,512,602)</u>	<u>(218,294,036)</u>
Property tax total	65,641,527	54,507,433	42,534,718
Corporate Income Tax	593,049,417	661,418,505	524,427,805
Alaska Education Credit	<u>(456,500)</u>	<u>(347,125)</u>	<u>(197,675)</u>
Corporate income tax total	592,592,917	661,071,380	524,230,130
Total Receipts - General Fund	2,939,814,054	1,915,098,869	1,434,430,188
Constitutional Budget Reserve Fund - CBRF			
Corporate Income Tax	83,518,505	41,140,602	5,714,388
Production Tax	17,510,672	2,556,312	21,310,000
Property	<u>50,640</u>	<u>50,268</u>	<u>376,915</u>
Total Receipts - CBRF	101,079,817	43,747,182	27,401,303
Total Receipts - All Funds	<u>\$3,040,893,871</u>	<u>\$1,958,846,051</u>	<u>\$1,461,831,491</u>
CORPORATE INCOME TAX - Non Oil and Gas Corporations			
Corporate Income Tax	\$172,207,487	\$130,374,320	\$60,409,567
Penalties and Interest	5,536,438	8,519,784	1,754,950
Alaska Education Credit	<u>(732,713)</u>	<u>(900,644)</u>	<u>(539,445)</u>
Veteran's Memorial Fund Credit	<u>0</u>	<u>0</u>	<u>0</u>
Total Receipts	<u>\$177,011,212</u>	<u>\$137,993,460</u>	<u>\$61,625,072</u>
MINING LICENSE			
Tax Before Credits	\$79,393,532	\$18,759,872	\$10,467,238
Mineral Exploration Incentive Credit	<u>(1,380)</u>	<u>0</u>	<u>0</u>
Alaska Education Credit	<u>(250,626)</u>	<u>(121,876)</u>	<u>(150,000)</u>
Total Receipts	<u>\$79,141,526</u>	<u>\$18,637,996</u>	<u>\$10,317,238</u>

Figure 4 - Revenue Collections Detail

Listed in order of total amount of revenue collected

TAX TYPE	FY 2007	FY 2006	FY 2005
TOBACCO			
Cigarette	\$64,235,755	\$58,251,891	\$48,755,317
Tobacco Products	8,506,365	7,614,005	7,774,876
Penalties and Interest	334,989	176,380	99,802
Cigarette License Fees	\$6,200	\$6,255	\$7,455
Deductions and Stamp Discounts	<u>(408,276)</u>	<u>(597,556)</u>	<u>(470,178)</u>
Total Receipts	72,675,033	65,450,975	56,167,272
Transfers			
School Fund*	(26,972,936)	(27,391,201)	(29,950,353)
Tobacco Use Education and Cessation Fund	<u>(3,282,925)</u>	<u>(2,694,038)</u>	<u>(1,111,100)</u>
Amount Retained in General Fund	<u>\$42,419,172</u>	<u>\$35,365,736</u>	<u>\$25,105,819</u>
<i>*All cigarette license fees are included in this amount.</i>			
MOTOR FUEL			
Highway	\$29,360,245	\$30,871,634	\$29,918,920
Marine	5,576,852	5,487,931	4,718,509
Jet	4,124,896	5,039,832	4,193,390
Aviation	<u>685,844</u>	<u>710,663</u>	<u>729,827</u>
Total Tax	39,747,837	42,110,060	39,560,646
Penalties and Interest	<u>(62,525)</u>	<u>837</u>	<u>3,920</u>
Total Receipts	39,685,312	42,110,897	39,564,566
Aviation Tax Shared	<u>(147,322)</u>	<u>(129,337)</u>	<u>(150,708)</u>
Amount Retained in General Fund	<u>\$39,537,990</u>	<u>\$41,981,560</u>	<u>\$39,413,858</u>
ALCOHOLIC BEVERAGES			
Liquor	\$17,323,104	\$16,642,283	\$16,034,366
Beer	13,063,186	13,155,523	14,115,672
Wine	4,852,715	4,616,542	4,594,941
Beer (small breweries)	797,543	810,080	770,757
Penalties, Interest and Refunds	<u>1,916</u>	<u>648</u>	<u>914</u>
Total Receipts	\$36,038,464	\$35,225,076	\$35,516,650
Amount transferred to Alcohol and Other Drug Abuse Treatment and Prevention Fund	<u>(18,018,504)</u>	<u>(17,612,538)</u>	<u>(17,758,496)</u>
Amount Retained in General Fund	<u>\$18,019,960</u>	<u>\$17,612,538</u>	<u>\$17,758,154</u>

Figure 4 - Revenue Collections Detail
Listed in order of total amount of revenue collected

TAX TYPE	FY 2007	FY 2006	FY 2005
FISHERIES BUSINESS			
Established			
Shore-based	\$21,838,661	\$22,489,848	\$17,934,554
Floating	4,461,717	5,583,427	4,430,655
Cannery	3,603,230	4,115,868	3,573,861
Developing			
Shore-based	4,040	8,553	2,246
Floating	<u>2,523</u>	<u>6,117</u>	<u>521</u>
Total Tax	29,910,171	32,203,813	25,941,837
Prepayments	5,546,512	3,735,334	2,199,514
Penalties and Interest	169,178	24,450	153,357
License Fees	14,725	15,001	14,724
Less Credits			
A.W. "Winn" Brindle	(167,000)	(132,909)	(135,700)
Alaska Education	(300,000)	(300,000)	(300,000)
Salmon Product Development and Utilization	<u>415,745</u>	<u>(3,058,516)</u>	<u>(2,314,258)</u>
Total Receipts	35,589,331	32,487,173	25,559,474
Fisheries Business Tax Shared			
Direct to Municipalities	(16,079,365)	(15,268,647)	(13,485,788)
DCCED* Municipal Allocation	<u>(1,530,372)</u>	<u>(1,867,596)</u>	<u>(1,738,224)</u>
Amount Retained by State	<u>\$17,979,494</u>	<u>\$15,350,930</u>	<u>\$10,335,462</u>

* Department of Commerce, Community and Economic Development

COMMERCIAL PASSENGER VESSEL

Total Receipts	\$15,981,734		
Taxes Shared to Municipalities	(744,580)	Not Applicable	Not Applicable
Amount Transferred to Regional Cruise Ship Impact Fund	<u>(3,995,434)</u>		
Amount Retained by the State of Alaska	<u>\$11,241,720</u>		

Figure 4 - Revenue Collections Detail

Listed in order of total amount of revenue collected

TAX TYPE	FY 2007	FY 2006	FY 2005
FISHERY RESOURCE LANDING			
Tax Before Credits	\$12,002,293	\$11,315,026	\$9,520,641
Penalties, Interest and Refunds	583,309	549,781	406,971
Less Credits			
Alaska Education	(1,200,000)	(1,200,000)	(1,050,000)
CDQ Contributions	(373,648)	(185,919)	(232,386)
A.W. "Winn" Brindle	0	0	0
Total Receipts	11,011,954	10,478,888	8,645,226
Landing Tax Shared			
Direct to Municipalities	(4,617,769)	(4,508,020)	(3,624,314)
DCCED* Municipal Allocation	(875,527)	(1,235,290)	(604,767)
Amount to be Retained by State	<u>\$5,518,658</u>	<u>\$4,735,578</u>	<u>\$4,416,145</u>
* Department of Commerce, Community and Economic Development			
VEHICLE RENTAL			
Passenger	\$7,635,227	\$7,246,318	\$7,147,231
Recreational	360,289	346,439	327,811
Penalties and Interest	23,093	64,359	23,949
Total Receipts	<u>\$8,018,609</u>	<u>\$7,657,116</u>	<u>\$7,498,991</u>
REGULATORY COST CHARGES			
Electric	\$2,030,318	\$2,161,642	\$1,967,201
Local Exchange Telephone	2,115,367	1,973,630	1,908,458
Water & Wastewater	801,298	705,229	540,456
Pipeline Carriers	1,082,667	688,810	655,590
Interexchange Telephone	499,441	649,821	538,209
Natural Gas	1,083,962	605,596	575,678
Refuse	234,535	311,299	253,218
Regulated Cable	36,059	30,797	37,161
District Heat	1,514	4,283	5,456
Total Receipts	<u>\$7,885,161</u>	<u>\$7,131,107</u>	<u>\$6,481,427</u>

Figure 4 - Revenue Collections Detail

Listed in order of total amount of revenue collected

TAX TYPE	FY 2007	FY 2008	FY 2005
SEAFOOD MARKETING ASSESSMENT			
Fisheries Business	\$5,862,128	\$5,363,911	\$2,494,591
Fishery Resource Landing	<u>1,818,821</u>	<u>993,665</u>	<u>1,028,781</u>
Total Receipts	<u>\$7,680,949</u>	<u>\$6,357,576</u>	<u>\$3,523,372</u>
<i>Note: The seafood marketing assessment rate increased from .3% to .5% effective January 1, 2005.</i>			
SALMON ENHANCEMENT			
Tax by Aquacultural Region			
Southern Southeast	\$1,020,406	\$1,052,179	\$915,005
Northern Southeast	1,501,978	1,138,883	1,230,090
Prince William Sound	785,835	878,906	590,840
Kodiak	614,891	528,003	483,596
Cook Inlet	304,677	647,610	496,670
Chignik	<u>112,352</u>	<u>126,036</u>	<u>70,860</u>
Total Tax	4,340,139	4,371,617	3,787,061
Penalties and Interest	<u>16,830</u>	<u>7,632</u>	<u>24,431</u>
Total Receipts	<u>\$4,356,969</u>	<u>\$4,379,249</u>	<u>\$3,811,492</u>
GAMING			
Pull-Tab Tax	\$2,013,865	\$1,980,234	\$1,944,158
Net Proceeds Fee	293,358	289,201	357,176
License and Permit Fees	<u>138,404</u>	<u>140,384</u>	<u>156,478</u>
Total Receipts	<u>\$2,445,627</u>	<u>\$2,409,819</u>	<u>\$2,457,812</u>
TELEPHONE COOPERATIVE			
Total Receipts	\$2,062,277	\$1,905,896	\$2,029,808
Taxes shared	(1,953,132)	(1,804,506)	(1,926,187)
Amount Retained by state	<u>\$109,145</u>	<u>\$101,390</u>	<u>\$103,621</u>

Figure 4 - Revenue Collections Detail

Listed in order of total amount of revenue collected

TAX TYPE	FY 2007	FY 2006	FY 2005
ELECTRIC COOPERATIVE			
Total Receipts	\$2,029,554	\$1,971,690	\$1,939,598
Taxes shared	(1,953,262)	(1,893,770)	(1,868,400)
Amount Retained by state	<u>\$76,292</u>	<u>\$77,920</u>	<u>\$71,198</u>
TIRE FEE			
Non-Studded	\$1,075,505	\$1,146,502	\$1,136,589
Studded	409,979	446,771	436,440
Penalties and Interest	26,433	25,414	5,856
Total Receipts	<u>\$1,511,917</u>	<u>\$1,618,687</u>	<u>\$1,578,885</u>
ESTATE			
Total Receipts	<u>\$133,081</u>	<u>\$576,261</u>	<u>\$1,538,592</u>
DIVE FISHERY MANAGEMENT ASSESSMENT			
Southeast Alaska - Management Area A	\$426,006	\$273,521	\$411,267
Total Receipts	<u>\$426,006</u>	<u>\$273,521</u>	<u>\$411,267</u>
SEAFOOD DEVELOPMENT			
Tax by Development Region			
Bristol Bay	\$978,504	Not Applicable	
Prince William Sound	285,984	152,465	Not Applicable
Penalties and Interest	1,845	0	
Total Receipts	<u>\$1,266,333</u>	<u>\$152,465</u>	
SALMON MARKETING			
Tax	\$20,487	\$44,676	\$2,442,826
Penalties and Interest	493	4,119	12,430
Total Receipts	<u>\$20,981</u>	<u>\$48,795</u>	<u>\$2,455,256</u>

Note: The salmon marketing tax was repealed effective January 1, 2005. FY 2006 and FY 2007 receipts reflect amounts collected from amended and late filed returns.

Figure 5
Program Revenue and Cost Detail

Sorted by Revenue

Program	FY 2007 Statistics		FY 2007 Program		FY 2007 Per FTE ³	
	Returns	Revenue	Cost ¹	FTE ²	Revenue	Cost
Oil and Gas Production ¹	38	\$2,288,986,515	\$3,235,207	35.7	\$64,117,269	90,622
Oil and Gas Corporate Income ⁴	63	676,111,422	434,894	5.3	128,543,181	82,683
Oil and Gas Property ⁵	735	65,692,167	515,610	2.0	32,282,750	253,384
Oil and Gas Conservation Surcharge ⁶	N/A	10,103,767	54,204	1.0	10,103,767	51,204
Corporate Income - Other than Oil and Gas	15,122	177,011,212	2,063,897	23.9	7,404,127	86,330
Mining License	291	79,141,526	236,061	2.9	27,710,618	82,654
Tobacco ⁷	4,621	72,675,933	796,370	9.6	7,548,362	82,722
Motor Fuel	3,610	39,685,312	429,985	5.2	7,631,350	82,685
Alcoholic Beverages ⁸	340	36,038,464	85,067	1.0	35,214,446	83,122
Fisheries Business	669	35,589,331	767,928	9.1	3,904,308	84,245
Commercial Passenger Vessel	18	15,981,734	108,755	1.2	13,704,111	93,255
Fishery Resource Landing	76	11,011,954	105,116	1.3	8,648,358	82,554
Vehicle Rental	431	8,018,609	42,644	0.5	See note 9	See note 9
Regulatory Cost Charges	546	7,885,161	5,078	0.1	See note 9	See note 9
Seafood Marketing	301	7,680,949	0	0.0	See note 9	See note 9
Salmon Enhancement	830	4,356,969	82,999	1.0	See note 9	See note 9
Gaming	1,581	2,445,627	1,035,316	12.5	196,289	83,096
Telephone Cooperative	7	2,062,277	4,156	0.0	See note 9	See note 9
Electric Cooperative	19	2,029,554	4,156	0.0	See note 9	See note 9
Tire Fee	364	1,511,917	41,802	0.5	See note 9	See note 9
Seafood Development	198	1,266,333	4,156	0.0	See note 9	See note 9
Dive Fishery Management	44	426,006	10,976	0.1	See note 9	See note 9
Estate	3	133,081	7,682	0.1	See note 9	See note 9
Salmon Marketing	1	20,981	4,156	0.0	See note 9	See note 9
Unclaimed Property	N/A	N/A	489,941	5.9	N/A	83,343
Total All Programs	29,897	\$3,545,865,901	\$10,566,154	119.0	\$29,800,072¹⁰	\$88,800¹¹

¹ Includes total operating costs of the division.

² Full-time equivalent staff position.

³ Includes Constitutional Budget Reserve Fund receipts of \$17,510,672.

⁴ Includes Constitutional Budget Reserve Fund receipts of \$83,518,505.

⁵ Includes Constitutional Budget Reserve Fund receipts of \$50,640. Revenue and cost statistics are not comparable to other programs as some audit functions are performed by outside contractors.

⁶ The Conservation Surcharge on Oil is reported on the same return and by the same taxpayers as is Alaska's other production tax, Oil and Gas Production Tax (AS 43.55).

⁷ Includes amounts transferred to Tobacco Use Education and Cessation Fund and School Fund.

⁸ Includes Alcohol and Other Drug Abuse Treatment and Prevention Fund receipts \$18,013,504.

⁹ Combined program revenues (\$35,391,837) and costs (\$207,804) required 2.5 FTE. Combined revenue and cost per FTE are \$14,230,162 and \$83,553 respectively.

¹⁰ Reflects total revenue and total cost divided by total FTEs.

Figure 6
Revenue Collected from Enforcement Activity

Program	FY 2007 Statistics		
	Audit	Exam	Total
Oil and Gas Corporate Income	\$83,518,505	\$0	\$83,518,505
Oil and Gas Production	17,510,672	0	17,510,672
Corporate Income	8,575,523	1,361,843	9,937,366
Tobacco	0	1,202,815	1,202,815
Fishery Resource Landing	204,894	490,138	695,032
Fisheries Business	273,700	181,051	454,751
Estate	57,176	246	57,422
Seafood Marketing	0	52,730	52,730
Oil and Gas Property	50,640	0	50,640
Other Tax Types*	0	115,154	115,154
Total	<u>\$110,191,110</u>	<u>\$3,403,977</u>	<u>\$113,591,386</u>

* Includes all programs with nominal total collection amounts

**Alcoholic Beverages Tax
AS 43.60**

50¢ per gallon. At the same time, the rate for wine increased to 15¢ per gallon.

Description

Alaska levies a tax on alcoholic beverages sold in Alaska. The tax is collected primarily from wholesalers and distributors of alcoholic beverages.

Since 1937, the legislature has made minor changes to the alcoholic beverage tax statutes. In addition, between 1937 and 1983, the legislature increased Alaska's tax rates to correspond with rate changes made by other states.

Rates

Product	Rate Per Gallon
Liquor (more than 21% alcohol)	\$12.80
Wine (21% alcohol or less)	\$2.50
Beer (Malt Beverages and Cider)	\$1.07
Beer (Small Breweries)	\$0.35

2002 – The legislature significantly increased the tax rates on all three alcoholic beverages effective October 1, 2002. However, this legislation allows breweries meeting the qualifications of 26 U.S.C. 5051(a)(2) (small breweries) to pay tax at the lower rate of 35 cents per gallon on the first 60,000 barrels of beer (malt beverages) sold in Alaska. At the same time, the legislature created the Alcohol and Other Drug Abuse Treatment and Prevention Fund and directed that 50 percent of the alcoholic beverage tax be deposited into this fund for alcohol and drug abuse treatment programs.

Returns

Taxpayers file returns and pay tax monthly. The returns and payment are due by the last day of the month following the month of sale.

Between 1937 and 2002, alcoholic beverage tax rates have changed as follows.

Exemptions

Sales to facilities operated by one of the uniformed services of the United States are exempt.

Liquor	Per Gallon
1937	\$0.50
1941	\$1.00
1945	\$1.60
1946	\$2.00
1947	\$3.00
1957	\$3.50
1961	\$4.00
1983	\$5.60
2002	\$12.80

Disposition of Revenue

The division deposits all alcoholic beverage tax revenue into the General Fund. The Department of Administration separately accounts for 50 percent of the tax collected and deposits it into the Alcohol and Other Drug Abuse Treatment and Prevention Fund.

History

The alcoholic beverage tax dates back to 1933 when the Legislature enacted a tax on beer and wine at a rate of 5¢ per gallon. Taxpayers filed alcoholic beverage tax returns monthly.

In 1937, the territorial legislature enacted a tax on liquor at a rate of

Fifty percent of taxes on alcoholic beverages is available to fund alcohol and drug abuse treatment programs.

Wine	Per Gallon	Beer, Malt Beverages)	Per Gallon
1933	\$.05	1933	\$.05
1937	\$.15	1947	\$.10
1947	\$.25	1957	\$.25
1957	\$.50	1983	\$.35
1961	\$.60	2002	\$1.07
1983	\$.85		
2002	\$2.50		
		Beer (Small Breweries)	Per Gallon
		2002	\$.35

FY 2007 Statistics

Product	Gallons	Tax Collected
Liquor	1,354,265	\$17,323,104
Beer, Malt Beverage & Cider	12,776,638	13,063,186
Wine	1,998,980	4,852,715
Beer, Small Brewery	2,317,485	797,543
Penalties, Interest and Refunds		<u>1,916</u>
Total Tax Collected		\$36,038,464
Transferred to Alcohol and Other Drug Abuse Treatment and Prevention Fund		<u>(18,018,504)</u>
Total Tax Collections – General Fund		<u>\$18,019,960</u>
Number of Returns		340
Number of Taxpayers		31
Program Cost		\$85,067
Staffing (full-time equivalent)		1.0

Commercial Passenger Vessel (CPV) Excise Tax AS 43.52.200 – 295

Description

Alaska imposes an excise tax on travel on commercial passenger vessels, typically cruise ships that have 250 or more berths and provide overnight accommodations in the state's marine waters. Passengers traveling on qualified commercial passenger vessels are liable for the tax.

Rate

The commercial passenger vessel excise tax rate is \$46 per passenger per voyage.

Returns

Cruise ship companies and commercial passenger vessel owners file returns and pay taxes monthly. The due date is the last day of the month following the month in which voyages ended.

Exemptions

The CPV excise tax does not apply to passengers on board a commercial passenger vessel that does not anchor or moor in state marine waters with the intent to allow passengers to disembark.

Disposition of Revenue

The division deposits all proceeds from the CPV excise tax into the Commercial Passenger Vessel Tax (CVP) Account in the general fund. Subject to appropriation by the legislature from this account, the division distributes \$5 per passenger to each of the first five ports of call in Alaska unless the port of call imposes a tax on travel on commercial passenger vessels engaged in activities involving

overnight accommodations. If the port of call is a city located within a borough, the division distributes \$2.50 to the city and \$2.50 to the borough. Each port of call receiving funds shall use the funds in a manner calculated to improve port and harbor facilities and other services to properly provide for vessel or watercraft visits and to enhance the safety and efficiency of interstate and foreign commerce.

The division transfers 25% of the revenue deposited in the CVP Tax Account into a Regional Cruise Ship Impact (RCSI) Fund, a sub-account of the CVP Tax Account. Subject to appropriation and regulations adopted by the Department of Revenue, the division distributes funds from the RCSI Fund to municipalities and other governmental entities within the Prince William Sound Region, Southeast Alaska, or any other distinctive region impacted by cruise ship related tourism activities but not entitled to receive funds under port of call provisions above. Funds distributed from the RCSI Fund shall be used to provide services and infrastructure directly related to passenger vessel or watercraft visits or to enhance the safety and efficiency of interstate and foreign commerce related to vessel or watercraft activities.

History

2006 - The CPV excise tax was enacted by 2006 Primary Election Ballot Measure No. 2. The measure was approved by voters at the primary election of August 26, 2006. The results of the election were certified September 18, 2006 and the initiative's provisions became effective December 17, 2006.

The CPV excise tax was first collected in FY 2007 for voyages in Alaska during May and June 2007.

FY 2007 Statistics*

Tax Collections	\$15,981,734
Number of Returns	18
Number of Taxpayers	3
Program Cost	\$108,755
Staffing (full time equivalent)	1.2

**Reflects only one (monthly) filing because first returns were due June 30, 2007
(for voyages in May 2007).*

Corporate Income Tax AS 43.20

Description

Alaska levies a corporate income tax on Alaska taxable income.

For purposes of computing taxable income, Alaska like many states, adopts the federal Internal Revenue Code (IRC) by reference, unless excepted to or modified by specific Alaska statutes.

For a corporation doing business only in Alaska, its taxable income is federal taxable income with certain Alaska modifications.

A corporation that does business both inside and outside Alaska apportions income to Alaska using a formula. The formula apportions a percentage of the corporation's total income to Alaska. The Alaska percentage or "apportionment factor" is an average of three fractions based upon property, payroll and sales, inside and outside the state.

When a corporation is part of a group of corporations that operate as a unit in the conduct a single business, the separate corporations are treated as divisions of a single corporation. The taxpayer must apportion to Alaska a percentage of the combined incomes of all of the corporations in the "unitary" or "combined" group.

For unitary groups that are not oil and gas companies, Alaska adopts "water's edge combination". The combined group includes only those corporations with significant U.S. activity.

Oil and gas companies combine on a worldwide basis. Also, oil companies use a "modified" apportionment formula of property, sales and extraction. The extraction

factor is the production of oil and gas in Alaska divided by production everywhere.

Rate

Alaska taxes corporate income at graduated rates ranging from 1 percent to 9.4 percent.

Credits

Under Alaska's blanket adoption of the IRC, taxpayers can claim all federal incentive credits. Federal credits that refund other federal taxes are not allowed. Multistate taxpayers apportion their total federal incentive credits. Alaska specific credits include:

Education - Taxpayers that contribute to accredited Alaska universities or colleges for educational purposes may claim a tax credit for 50 percent of the first \$100,000 and 100 percent of the next \$100,000 of contributions. The maximum credit is \$150,000 for each tax year.

Minerals Exploration Incentive - Taxpayers may claim a credit for 100 percent of eligible costs of exploration activities related to determining existence, location, extent, or quality of a locatable mineral or coal deposit. An approved exploration incentive credit may not exceed \$20 million and must be applied within 15 tax years after the credit is approved. Application of the credit is limited to the lesser of 50 percent of the mining license tax liability or 50 percent of the corporate tax liability.

Oil and Gas Exploration Incentive - Taxpayers may take a credit for up to 50 percent on state land (or 25 percent on non state lands) of eligible oil and gas exploration costs. An approved oil and gas exploration incentive credit may not exceed \$5 million per project and is limited to \$30 million

Corporate income is taxed at graduated rates ranging from 1 percent to 9.4 percent.

per taxpayer. Taxpayers may apply the credit against 100 percent of corporation net income taxes due.

Gas Exploration and Development Tax Credit – Taxpayers may take a corporate income credit for 10 percent of qualifying expenditures incurred in exploration and development of natural gas reserves in Alaska, except for the North Slope.

Exemptions

Generally, Alaska follows the IRC when determining an entities taxable status.

Alaska adopts the flow-through federal provisions that exempt S-Corporations from tax.

Federally, S-Corporations are treated as partnerships and S-Corporation shareholders report their proportionate share of the corporation's earnings.

Alaska treats Limited Liability Companies (LLCs) as partnerships if they file as partnerships federally. Electric and telephone cooperatives pay tax under AS 10.25 and are exempt from the corporate income tax.

Returns and Payments

Corporations file returns annually, with the return due three and one-half months after the close of the tax year, one month after the federal tax return is due. Alaska honors the federal filing extensions.

Corporations must make quarterly estimated payments and the total tax is due two and one-half months from the end of the tax year. There are no extensions to pay the tax. Estimated payments of more than \$100,000 and payments accompanying a return greater than \$150,000 must be made online through the Tax

Online Payment System (TOPS) or by wire transfer.

Disposition of Revenue

The Division deposits most corporate net income tax collections into the General Fund. For oil and gas corporations only, the Division deposits collections from audit assessments into the Constitutional Budget Reserve Fund.

History

1949 - The territorial legislature enacts the Alaska Net Income Tax Act. It is 10 percent of the federal income tax liability on income earned in Alaska. The tax applies to individuals and corporations.

1959 - Alaska adopts the Uniform Division of Income for Tax Purposes Act (UDITPA) within AS 43.20. This is a model statute that developed by the states to address concerns of the U.S. Congress that collectively, the states were taxing more than 100% of the earnings of multistate corporations. UDITPA requires multistate corporations to apportion a percentage of their total income to the state by the apportionment formula of property payroll and sales. The standard UDITPA formula apportions 100% of the corporation's income among the states where the taxpayer does business, no more, no less.

1970 - Alaska enacts the Multistate Tax Compact in AS 43.19, and becomes one of the early members of the Multistate Tax Commission. The Compact incorporates the standard three-factor apportionment formula of UDITPA. A main purpose of the Compact and the Commission is to promote the enactment of UDITPA, and the uniform application of UDITPA apportionment formula by the states. Uniform application of UDITPA promotes the full reporting of income by taxpayers and avoids

the taxation of the same income by more than one state.

1975 - The legislature repeals the original tax and makes major revisions. Alaska enacts its own tax rates rather than basing the tax on the federal tax liability. Alaska adopts the federal Internal Revenue Code by reference, unless excepted to, or modified by other Alaska statutes. The tax rate was 5.4% of Alaska taxable income with a surtax of 4 percent based on federal surtax exemptions. For 1975, the surtax exemption was \$50,000.

1978 - The legislature finds that the standard three-factor apportionment formula does not fairly reflect Alaska income for oil and gas corporations. Alaska enacts AS 43.21 and requires oil and gas companies to calculate Alaska taxable income using separate accounting. The oil and gas companies challenge AS 43.21.

1980 - The legislature repeals the parts of AS 43.20 that impose the individual income tax and retains the exemption for S-Corporations.

1981 - In an effort to stem the growing amount of disputed oil and gas income taxes and related litigation, the legislature seeks a compromise tax method. The legislature repeals separate accounting under AS 43.21, and enacts AS 43.20.072, the current "modified" apportionment formula for oil and gas corporations. The modified formula drops the payroll factor and adds the "extraction factor". The legislature also enacts the current graduated tax rate structure with a maximum rate of 9.4%.

1987 - The legislature enacts the Alaska Education Credit.

1991 - The legislature enacts water's edge apportionment with AS 43.20.073. AS 43.20.073 does not apply to oil and gas taxpayers, who continue to report on a worldwide basis.

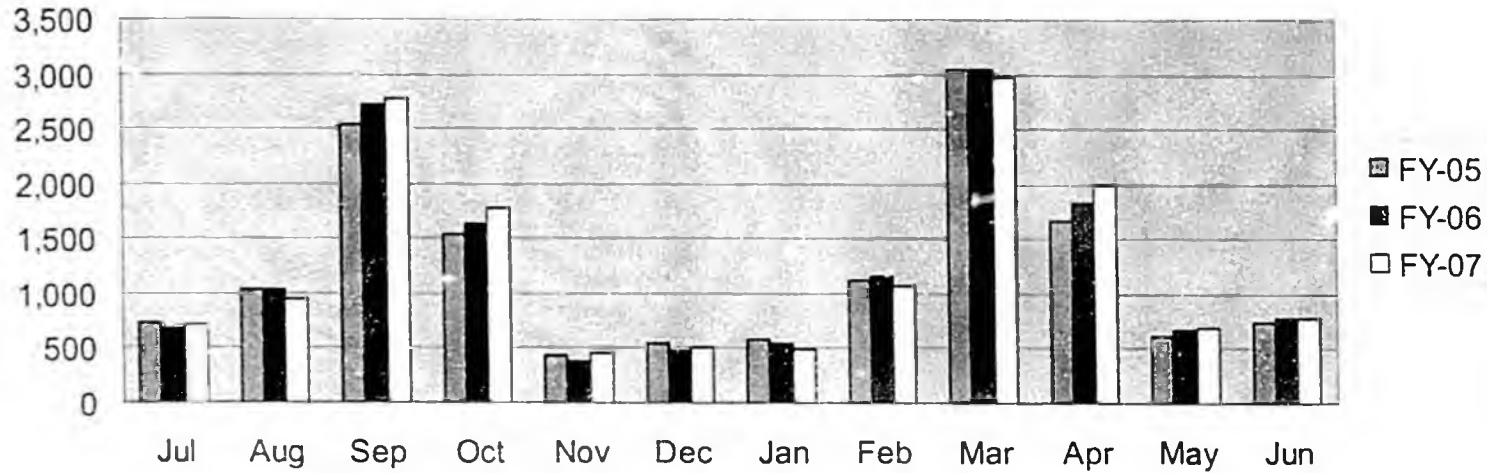
1998 - The Department of Revenue wins the OSG Bulkships case. The Alaska Supreme Court holds that AS 43.20 does not adopt Internal Revenue Code Section 883 by reference. Federally, Sec. 883 exempts from tax foreign corporations that operate ships and aircraft, and avoids double taxation. The Court says that formulary apportionment in AS 43.19 also avoids double taxation and therefore AS 43.19 is an exception to Sec. 883. During the next session, the legislature specifically adopts Sec. 883 and grants explicit tax exemption to the foreign corporations operating cargo ships, cruise ships, and aircraft in Alaska.

2006 - A voter initiative that subjects cruise ship operators to Alaska corporate income tax passed in August 2006. Prior to the initiative, cruise ship operators were exempt from taxation through the department's adoption of Internal Revenue Code Section 883.

A voter initiative passed in August 2006 subjects cruise ship operators to the Alaska corporate income tax.

Figure 7

Corporations Filing Activity for Fiscal Years 2005, 2006 and 2007



Fiscal Year	FY 2007	FY 2006	FY 2005
Total Returns Filed	15,185	14,920	14,567

Detail of FY 2007 Filing Activity

Entity Type	Original	Amended	NOL*	Total
Subchapter C	6,299	540	137	6,976
Subchapter S	6,860	20	3	6,883
Exempt	125	6	2	133
Homeowners Assoc.	483	0	0	483
Incomplete Returns ¹	348	289	10	647
Total Non Oil & Gas	14,115	855	152	15,122
Oil & Gas	21	42	0	63
Grand Total	14,136	897	152	15,185

*Net operating loss carryback

¹All Subchapter C

Figure 8
Corporation Tax Liabilities Statistics – Original Returns

Tax Liability Reported	Oil and Gas Corporations			Other than Oil and Gas Corporations			All Corporations		
	# Filers	Amount	% Total	# Filers	Amount	% Total	# Filers	Amount	% Total
Above \$1 million	12	\$619,040,992	99.78%	18	\$37,917,814	44.53%	30	\$656,958,806	93.11%
\$500,000 - \$1 million	1	702,027	0.11%	21	14,449,953	16.97%	22	\$15,151,980	2.15%
\$100,000 - \$499,999	2	805,004	0.10%	78	18,809,440	22.09%	80	\$19,414,524	2.75%
\$50,000 - \$99,999	0	0	0.00%	81	5,935,173	6.97%	81	\$5,935,173	0.84%
\$10,000 - \$49,999	2	71,065	0.01%	256	6,009,365	7.06%	258	\$6,080,430	0.86%
\$1,000 - \$9,999	1	2,057	0.00%	509	1,773,589	2.08%	510	\$1,775,646	0.25%
\$100 - \$999	0	0	0.00%	580	230,466	0.27%	580	\$230,466	0.03%
\$1 - \$99	0	0	0.00%	987	28,662	0.03%	987	\$28,662	0.00%
Zero Tax	3	0	0.00%	11,585	0	0.00%	11,588	\$0	0.00%
Total	21	<u>\$620,421,225</u>	<u>100.00%</u>	<u>14,115</u>	<u>\$85,154,462</u>	<u>100.00%</u>	<u>14,136</u>	<u>\$705,575,687</u>	<u>100.00%</u>

Note: Amounts reflect tax liabilities reported on the taxpayer original returns only. Liabilities may differ from amounts remitted by the taxpayer during the fiscal year due to timing differences resulting from estimated tax payments, credits and final payment of taxes reported.

Dive Fishery Management Assessment Tax
AS 43.76.150

Description

The dive fishery management assessment is an elective assessment on the value of fisheries resources taken using dive gear. The assessment only applies to designated management areas and species, and is assessed at a rate elected by a vote of permit holders.

Rate

Southeast Alaska region commercial dive fishermen elected the following rates for the Southeast Alaska administrative area (Management Area A):

Geoduck	7%
Sea Cucumber	5%
Sea Urchin	7%

Returns

Buyers file returns and pay tax quarterly. The due date is the last day of the month following the calendar quarter of purchase.

Buyers file returns for bonus payments made to fishermen after the close of the fishing season. Returns for these payments are due with additional taxes by the last day of the month following the payment.

Fishermen selling to unlicensed buyers or exporting from the region file returns and pay taxes annually. The due date is March 31 following the year of sale or export.

Disposition of Revenue

The division deposits all revenue derived from the dive fishery management assessment into the General Fund.

Under AS 43.76.200, the legislature may appropriate dive fishery management assessment revenue to the Department of Fish and Game for the purpose of funding the regional dive fishery development association.

History

1997 - The legislature enacted the dive fishery management assessment statute effective June 1997.

1999 - The Southeast Regional Dive Fishery Association elected a dive fishery management assessment on geoducks, sea cucumbers and sea urchins harvested in the Southeast Alaska administrative area (Management Area A). The assessment, effective April 1999, set rates of 5 percent for geoduck and sea cucumber and 7 percent for sea urchin.

2004 - The legislature authorized three additional rates: 2 percent, 4 percent and 6 percent. Geoduck fishermen subsequently elected to increase the geoduck assessment to 7 percent as of November 1, 2004.

2005 - The legislature authorized an annual filing due date of March 31 for dive fishermen who export or sell to unlicensed buyers, effective January 1, 2005.

All revenue from the dive fishery management assessment is deposited into the General Fund.

FY 2007 Statistics

Tax Collections	\$426,006
Number of Returns	44
Number of Taxpayers	20
Program Cost	\$10,976
Staffing (full time equivalent)	0.1

**Electric Cooperative Tax
AS 10.25.555**

Description

Alaska levies an electric cooperative tax on kilowatt-hours furnished by qualified electric cooperatives recognized under AS 10.25.

Rate

The electric cooperative tax is based on a rate per kilowatt hour (kWh) and on the length of time the cooperative has furnished electricity to consumers as follows.

Length	Rate Per kWh
Less than 5 years	.25 mill
5 years or longer	.5 mill (1 mill = .1¢)

Returns

Electric cooperatives file calendar year returns that are due with payment before March 1 of the following year.

Exemptions

All qualified electric cooperatives are subject to the cooperative tax. Cooperatives pay the electric cooperative tax in lieu of corporate net income tax.

Disposition of Revenue

The division deposits all revenue derived from electric cooperative taxes into the General Fund.

Electric cooperative taxes sourced from within municipalities are shared 100 percent to respective municipalities less the amount expended by the state in their collection.

The state retains electric cooperative taxes sourced from outside of municipalities.

History

1959 – The legislature enacted the electric cooperative tax as part of the "Electric and Telephone Cooperative Act" which was adopted to promote cooperatives around the state. The due date for filing electric cooperative tax returns was April 1 of the following year.

1960 – The legislature changed the due date for paying taxes to March 1.

1980 – The legislature changed the tax base for calculating the electric cooperative tax from gross revenue to kilowatt-hours. The legislature adopted the current mill rates.

Electric Cooperatives pay the electric cooperative tax in lieu of corporate net income tax.

FY 2007 Statistics

Tax Collections	\$2,029,554
Number of Returns	19
Number of Taxpayers	19
Program Cost	\$4,156
Staffing (full time equivalent)	0.1

Note: Program Costs reflect the cost of the program. The amount retained by the state after sharing (Table 2) represents prior year costs and unshared tax collected in the current year outside an organized borough or incorporated city

**Estate Tax
AS 43.31**

Description

Alaska levies an estate tax on the transfer of an estate upon death.

Rate

The Alaska estate tax is the amount of state credit allowed on the estate's federal tax return.

Returns

State returns are required only for estates of decedents whose date of death was before January 1, 2005, and the estate has a federal filing requirement. Estates of decedents whose date of death is January 1, 2005 or later are not required to file a report.

Estate returns and tax payments are due 15 months from the decedent's date of death.

The tax payment due date may be extended in one-year increments, not to exceed 5 years. Interest accrues on the amount of tax due during the extension period. The return filing due date may be extended for up to 15 years.

Exemptions

Estates under \$1.5 million were generally exempt from paying estate taxes prior to 2005, taking into consideration the estate tax credit (formerly the unified credit) allowed under the Internal Revenue Code.

Disposition of Revenue

The division deposits all revenue derived from estate taxes into the General Fund.

History

1919 - The territorial legislature adopted a tax on inheritances and transfers of property from estates. Tax rates varied from 1 percent to 17.5 percent of the property's value.

1970 - The Alaska legislature enacted the current estate tax statutes. Estate tax statutes tie to the state credit allowed under Internal Revenue Code estate tax laws.

1991 - Interest on delinquent tax subject to compound interest under AS 43.05.225. Beginning FY 2003, the state estate tax will phase out as a consequence of changes in federal law.

2001 - The federal Economic Growth and Tax Relief Reconciliation Act enacted. As a consequence of the federal act, the state tax credit was phased out gradually over a four-year period. The state tax credit no longer applies to estates of decedents whose date of death is January 1, 2005 or later. However, the division may continue to collect tax from estates for years prior to January 1, 2005, as a result of returns filed, audits, or other enforcement activities.

The Estate tax was phased out by federal law - it no longer applies to estates of decedents whose date of death is January 1, 2005 or later.

FY 2007 Statistics

Tax Collections	\$133,081
Number of Returns	3
Number of Taxpayers	3
Program Cost	\$7,682
Staffing (full time equivalent)	0.1

**Fisheries Business Tax
AS 43.75**

Description

Alaska levies a fisheries business tax (also known as the "raw fish tax") on fisheries businesses and persons who process fisheries resources in or export unprocessed fisheries resources from Alaska. The tax is based on the price paid to commercial fishermen for the raw resource or fair market value when there is no arms length transaction prior to processing or export. The division collects fisheries business taxes from processors and persons who export unprocessed fishery resources from Alaska.

Rate

Fisheries business tax rates are based on the location and type of processing activity and whether a fishery resource is classified as "established" or "developing" by the Alaska Department of Fish and Game. Rates are as follows:

Processing Activity

Established	Rate
Floating	5%
Salmon Cannery	4.5%
Shore-based	3%
Developing	Rate
Floating	3%
Shore-based	1%

Returns

Fisheries businesses file calendar year returns that are due with payment on March 31 of the following year.

After filing the calendar year return, taxpayers file returns to report post-season, bonus payments made

to fishermen. Returns for these payments are due with additional taxes by the last day of the month following the month of bonus payments.

Exemptions

Commercial fishermen who process and freeze fish on board to maintain its quality before sale to a licensed processor are exempt.

Credits

Education - Taxpayers that contribute to accredited Alaska universities or colleges for educational purposes may claim a tax credit for 50 percent of the first \$100,000 and 100 percent of the next \$100,000 of contributions. The maximum credit is \$150,000 for each tax year.

Scholarship Contributions - Taxpayers that contribute to the A.W. "Winn" Brindle memorial scholarship account may claim a tax credit for the amount of contribution not to exceed 5 percent of their tax liability.

Salmon Product Development and Utilization Credit - Taxpayers are allowed tax credits against the fisheries business tax on salmon for expenditures promoting the development of salmon products and the utilization of salmon waste. The credit on salmon for expenditures promoting the development of salmon products was extended to December 31, 2008. The credit on salmon for expenditures promoting the utilization of salmon waste expired on December 31, 2005.

Disposition of Revenue

The division deposits all revenue derived from the fisheries business tax into the General Fund. The legislature may appropriate revenue from the tax for revenue sharing as follows:

The Fisheries Business Tax is Alaska's oldest tax, enacted in 1899.

Processing Activity Inside Municipality

The division shares 50 percent of tax collected with the incorporated city or organized borough in which the processing took place. If an incorporated city is within an organized borough, the division divides the (50 percent) shareable amount equally between the incorporated city and the organized borough.

Processing Activity Outside Municipality

The division shares 50 percent of tax collected from processing activities outside an incorporated city or an organized borough through an allocation program administered by the Department of Commerce, Community and Economic Development.

History

1899 – the U.S. Congress adopted a "salmon case" tax to fund fisheries-related activities in pre-territorial Alaska. The Organic Act passed in 1912 established an organized territorial government in Alaska. In 1913, the First Territorial Legislature adopted the "salmon pack" tax which applied to salmon canneries based on canned salmon (7¢ per case); and the "cold storage" tax which applied to other fisheries and was based on business receipts. Between 1913 and 1949, the legislature amended the tax several times by changing tax rates and expanding the tax base to include different fisheries.

1949 – The territorial legislature restructured the fisheries business tax to be based on value of the fisheries rather than volumes (case or business receipts). The new "raw fish" tax applied to salmon (4 percent), crab and clams (2 percent), and other fishery products (1 percent) processed in canneries.

1951 – The territorial legislature enacted a fishery business license requirement with a \$25 license fee, a tax on floating processors at 4 percent of value and increased the tax rate for salmon canneries to 6 percent.

1962 – The legislature adopted provisions for sharing taxes (10 percent) and requiring calendar year returns for all businesses.

1967 – The tax rate on salmon canneries was amended to 3 percent and provisions were adopted requiring security for a fishery business license under certain conditions.

1979 – The legislature adopted the modern tax structure with different tax rates for established and developing species, as well as increasing the shared tax percentage to 20 percent.

1981 – The shared tax percentage was increased to 50 percent.

1986 – The legislature authorized a fisheries business tax credit of up to 50 percent of fisheries business taxes for capital expenditures associated with constructing and improving shore-side processing operations. The tax credit program was effective for 1987 through 1989 with a carryforward provision through 1991. Taxpayers claimed approximately \$47.5 million of credits under this program. The legislature also enacted the A.W. "Winn" Brindle scholarship credit allowing a credit of up to 5 percent of fisheries business taxes due.

1987 – The legislature enacted the Alaska education tax credit program allowing a tax credit on educational contributions of up to \$100,000 against fisheries business taxes due.

The first fisheries business tax was enacted in 1899 by the U.S. Congress.

1990 – The legislature enacted provisions for a civil penalty for processing without a license. The division may progressively assess penalties in increments of up to \$5,000 for each infraction to a maximum of \$25,000 for the fifth and subsequent assessments. The legislature also enacted a provision that authorized sharing of 50 percent of taxes sourced from processing activities in the unorganized borough, effective July 1992.

1991 – The legislature restructured the Alaska education credit and increased the maximum amount to \$150,000.

1995 – The legislature reduced the amount of surety bonding for small processors from \$10,000 to \$2,000.

2001 – The legislature modified the tax payment security requirements necessary to obtain a fisheries business tax license. The legislature expanded the existing requirement for a whole-salmon exporter to include any exporter of any unprocessed fisheries resource. Under the legislation, exporters of unprocessed fish can obtain a fisheries business license by posting a \$50,000 surety bond and paying their taxes monthly.

2002 – The legislature authorized credits of up to 50 percent for contributions of not more than \$100,000 and 75 percent of the next \$100,000 in contributions made to the Alaska Veterans' Memorial Endowment Fund. The tax credit expired July 1, 2003.

2003 - The legislature authorized a Salmon Product Development/Utilization Credit that allows tax credits against fisheries business taxes for expenditures promoting the value added processing of salmon products and the utilization of salmon waste in Alaska. The amount

of the tax credit cannot exceed 50 percent of the taxpayer's fisheries business liability for processing of salmon during the tax year.

Effective June 11, 2003 and retroactive to January 1, 2003, the legislation sunsetted on December 31, 2005. Unused credits earned may be carried forward for three years.

2003 – Legislation allowed for monthly payment of the fisheries taxes in lieu of existing forms of security or prepayment as a prerequisite to being licensed. Fisheries businesses that elect the monthly payment option must post a \$50,000 bond or have \$100,000 equity in real property in the state. The provisions of this legislation took effect September 8, 2003.

2004 – Legislation authorized a new Direct Marketing Fisheries Business License and tax structure set at the shore based rate of 1 percent of the value of developing fish species and 3 percent of the value of established fish species. The provisions of this legislation took effect January 1, 2005.

2005 – Effective May 18, 2005, the legislature modified the surety and tax payment requirements for obtaining a fisheries business license. The legislature reduced the amount of surety bonding for small primary fish buyers from \$10,000 to \$2,000. The legislation added as a condition for obtaining a fisheries business license full payment of delinquent taxes under AS 43, seafood marketing assessments, employment security contributions, OSHA penalties, and local fishery sales taxes.

2006 – The legislature extended the Salmon Product Development Credit for expenditures made through December 31, 2008. The Salmon Utilization Credit was not extended.

*The Alaska
Legislature extended
the Salmon Product
Development credit
in 2006.*

FY 2007 Statistics**Fisheries Business Tax**

License Fees and Tax Collections \$35,589,331

Including penalties, interest and credits.

Fisheries Business Licenses Issued

Shore-based Licenses Issued 199

Floating Licenses Issued 374

Exporter Licenses Issued 19

Total **592**

Number of Returns 669

Number of Taxpayers 495

Program Cost \$767,928

Staffing (full time equivalent) 9.1

Fishery Resource Landing Tax
AS 43.77

Description

Alaska levies a fishery resource landing tax on fishery resources processed outside and first landed in Alaska, based on the unprocessed value of the resource. The unprocessed value is determined by multiplying a statewide average price per pound (derived from Alaska Department of Fish and Game data) by the unprocessed weight.

Alaska collects the fishery resource landing tax primarily from factory trawlers and floating processors that process fishery resources outside of the state's 3-mile limit and bring their products into Alaska for transshipment.

Rate

Tax rates are based on whether the resource is classified as "established" or "developing" by the Alaska Department of Fish and Game. Tax rates are:

Classification	Rate
Established	3%
Developing	1%

Returns

Taxpayers file returns and pay tax on a calendar year basis with a due date of March 31 of the following year. Taxpayers are required to make quarterly estimated tax payments that are due on the last day of each calendar quarter.

The division grants an automatic extension to file the landing return if it does not provide statewide average prices to taxpayers at least 30 days prior to the due date. If the extension applies, the due date is the last day of the month following

the month in which the division issues statewide average prices.

Exemptions

Unprocessed fishery resources landed in the state are exempt from the fishery resource landing tax, although they may be subject to the fisheries business tax.

Credits

Education - Taxpayers that contribute to accredited Alaska universities or colleges for educational purposes may claim a tax credit for 50 percent of the first \$100,000 and 100 percent of the next \$100,000 of contributions. The maximum credit is \$150,000 for each tax year.

Scholarship Contributions - Taxpayers that contribute to the A.W. "Winn" Brindle memorial scholarship account may claim a tax credit for the amount of contributions not to exceed 5 percent of their tax liability.

CDQ - Taxpayers that harvest a fishery resource under a community development quota (CDQ) may claim a credit of up to 45.45 percent of fishery resource landing taxes for contributions to Alaska nonprofit corporations that are dedicated to fisheries industry-related expenditures.

Other Taxes - Taxpayers that paid taxes on fishery resources to another jurisdiction may claim a credit against the fishery resource landing tax. The credit, equal to the amount of taxes paid in the other jurisdiction, may not exceed the fishery resource landing tax.

Disposition of Revenue

The division deposits all revenue from the fishery resource landing tax into the General Fund. The legislature may appropriate revenue from the tax for revenue sharing as described below.

Fishery resource landing tax revenues are primarily derived from fish processed in the Bering Sea and landed in Alaska.

Landings Inside Municipality

The division shares 50 percent of taxes from landings within a municipality with the respective municipalities in which landings occurred. If a municipality is within a borough, the division divides the (50 percent) shareable amount between the municipality and borough.

Landings Outside Municipality

The division shares 50 percent of the taxes from landings outside a municipality (unorganized borough) through an allocation program administered by the Alaska Department of Commerce, Community and Economic Development.

History

1993 – The legislature enacted the fishery resource landing tax effective January 1994. The rate was 3.3 percent of the unprocessed value of the resource. The Department of Revenue adopted regulations regarding administration of the tax, effective April 1994.

1994 – The American Factory Trawler Association (AFTA) filed litigation challenging the constitutionality of the landing tax.

1995 – The Alaska Supreme Court rejected AFTA's request based on AFTA's failure to exhaust administrative remedies with the Department of Revenue.

1996 – The landing tax was restructured to mirror the fisheries business tax program. The legislature revised the tax rate to 3 percent for established species and 1 percent for developing species.

The 0.3 percent portion of the previous 3.3 percent tax rate was incorporated into seafood marketing assessment statutes (AS 16.51).

The legislature also amended the landing tax statutes to provide for tax credits for education and A.W. "Winn" Brindle scholarship contributions. All changes were retroactive to January 1994, the inception date of the landing tax.

1997 – AFTA dismissed its challenge to the landing tax and in June the state issued a formal hearing decision upholding the constitutionality of the tax. Shared tax amounts from calendar year 1994 and 1995 returns, previously held in escrow, were released to municipalities.

1999 – The American Fisheries Act (P.L. 105-277) required a fishery cooperative to execute a contract with each cooperative member that obligated the member to make a payment to the state for pollock harvested in the Alaska pollock fishery that is not landed in Alaska. AS 43.77.015 required that those payments be treated as if they were landing taxes.

2001 – The legislature amended landing tax statutes to require quarterly payment of estimated fishery resource landing taxes, effective calendar year 2002.

2002 – The legislature authorized credits of up to 50 percent for contributions of not more than \$100,000 and 75 percent of the next \$100,000 in contributions made to the Alaska Veterans' Memorial Endowment Fund. The tax credit expired July 1, 2003.

Fishery resource landing tax revenues are shared with municipalities for taxes attributable to landings within a municipality.

FY 2007 Statistics

Tax Collections	\$11,011,954
<i>Including penalties, interest and credits.</i>	
Number of Returns	76
Number of Taxpayers	59
Program Cost	\$105,116
Staffing (full time equivalent)	1.3

Gaming AS 05.15

Description

Under Alaska law, municipalities and qualified nonprofit organizations may conduct certain gaming activities. The purpose of these activities is to derive public benefit in the form of money for nonprofits and revenues for the state.

To ensure that the appropriate level of public benefit is being derived, the division performs the following: 1) issues permits to nonprofits; 2) licenses all operators, and pull-tab distributors and manufacturers; 3) collects fees and taxes; 4) audits various permittees and licensees; 5) inspects gaming locations; and 6) investigates complaints. The division also provides educational and orientation information to the public and to prospective permittees and licensees.

Rate

Annual permit and license fees for games of chance and contests of skill are as follows.

Permits

- \$20 if an applicant did not have a permit during the preceding year
- \$20 if an applicant had gaming gross receipts of less than \$20,000 during the preceding year
- \$50 if an applicant had gaming gross receipts of \$20,000 or more but not exceeding \$100,000 during the preceding year
- \$100 if an applicant had gaming gross receipts exceeding \$100,000 during the preceding year

Licenses

- \$500 for an operator license
- \$1,000 for a pull-tab distributor license
- \$2,500 for a pull-tab manufacturer license

Reports

The division requires the following reports:

- Municipalities and qualified organizations file quarterly reports that are due the 45th day following each calendar quarter in which the permittee had gross receipts of \$50,000 or more.
- Permittees file annual reports on a calendar year basis, accompanied with payment of the additional fee, if required under AS 05.15.020(b), by March 15th of the following year. Under this statute, if the gross receipts for the activities were \$20,000 or more, an additional fee of 1 percent of the net proceeds received during the preceding year is due.
- Operators and multiple-beneficiary permittees file quarterly reports that are due on the last business day of the month following each calendar quarter. Annual reports for the calendar year are due no later than February 28 of the following year. (See below for explanation of the multiple-beneficiary permit.)
- Operators are required to submit a report to permittees monthly. The report must include a daily summary of activity conducted under the permit and an accounting of gross receipts, expenses and net proceeds for the month.
- Pull-tab manufacturers must report by the last business day of the month on each series of pull-tabs distributed in the preceding month.
- Distributors must collect a tax of 3 percent of an amount equal to the gross receipts less prizes awarded on each series of pull-tabs distributed. Distributors must report by the last business day of each month, each pull-tab series distributed in the preceding month and pay the taxes collected.

Municipalities and qualified nonprofits may conduct certain gaming activities that benefit nonprofits in Alaska.

Exemptions

There are no exemptions that apply to gaming.

Disposition of Revenue

The division deposits permit and license fees, net proceeds fees and pull-tab taxes into the General Fund.

History

1960 – The legislature legalized gaming and gives oversight for all gaming activities to the Department of Revenue.

1984 – The Department authorized pull-tabs.

1988 – The legislature legalized operators. Pull-tabs legalized by statute, and prize limits are increased.

1989 – Under Administrative Order, gaming functions transferred to the Department of Commerce, Community and Economic Development.

1993 - Under Administrative Order, gaming functions transferred to the Department of Revenue.

HB 168 significantly changed various aspects of the statutes governing charitable gaming in Alaska. Third-party vendors were brought under statutory control which allow permittees to contract with them directly to sell pull-tabs and the Department was authorized to issue Multiple-Beneficiary Permits (MBP). MBPs enable two to six permittees to conduct gaming activities jointly. Minimum payments increased from 15 percent to 30 percent of adjusted gross income for pull-tab games and require a minimum of 10 percent of adjusted gross income for all other activities.

1995 - The legislature legalized cruise ship gambling activities in Alaska waters during the 1995

season. The gaming statutes required that cruise ships pay a fee to game in Alaska, and this generated more than \$500,000 in State revenue during the 1995 season. This law expired after 1995. Additionally, the legislature eliminated Monte Carlo nights.

1996 – The legislature authorized three new gaming activities – "Sled Dog Race Classic," "Deep Freeze Classic" and "Snow Machine Classic." The legislature also created the McGrath Kuskokwim River Ice Classic and the Creamer's Field Goose Classic. The legislature prohibited the donation of net proceeds from pull-tabs and bingo activities to registered lobbyists and certain political organizations.

2001 - The legislature added the Bristol Bay Native Corporation Education Foundation to the list of qualified organizations allowed to conduct "salmon classic" games of chance, effective January 1, 2002.

The Alaska Supreme Court in *Botehlo v. Griffin*, 25 P3d at 693 ruled that "Alaska's gaming laws create the effective equivalent of a charitable trust" by requiring a portion of the money spent on gaming to benefit the public generally.

2002 - Effective January 1, 2003, the legislature added the Boys and Girls Club of the Kenai Peninsula to the list of qualified organizations allowed to conduct "mercury classic" games of chance.

2003 – Effective January 1, 2005, the legislature allows a permittee that conducts a contest of skill and awards more than \$500,000 in prizes to the participants in that contest of skill, to exclude \$500,000 in prizes awarded to those participants from the \$1,000,000 maximum prize limitation.

2004 - The legislature authorized the Department of Revenue to issue permits for animal classic games, providing the animal classic was in existence prior to November 1, 2002, effective July 25, 2004.

2005 - The legislature authorized the Department of Revenue to

issue permits for two new games of chance - "Calcutta pools" (related to amateur and professional sporting events) and a "crane classic" (the best guess of the time of arrival of the first Sandhill Crane to a particular place), effective September 5, 2005.

FY 2007 Statistics

Taxes and Fees Collected	\$2,445,627
Program Cost	\$1,035,316
Staffing (full time equivalent)	12.5

Applications*

Permittees	1,176
Operators	31
Multiple Beneficiary Permittees	16
Distributors	15
Manufacturers	<u>8</u>
Total Applications	<u>1,246</u>

Reports

Permittees	1,091
Operators	141
Multiple Beneficiary Permittees	140
Distributors	120
Manufacturers	<u>89</u>
Total Reports	<u>1,581</u>

* The application count is based on a calendar year. Total applications received are not an accurate indicator of how many licenses or permits were issued, nor does it include a count of submitted amended applications.

**Large Passenger Vessel
(LPV) Gambling Tax
AS 05.16**

Description

Alaska imposes a tax on adjusted gross income of gambling activities aboard large passenger vessels in the state. Gambling activities include the use of playing cards, dice, roulette wheels, coin-operated instruments or machines, or other objects or instruments used for gaming or gambling, and any other gambling activities aboard large passenger vessels in Alaska. The tax is imposed on the operator of gaming or gambling activities.

Rate

The large passenger vessel gambling tax rate is 33% of adjusted gross income. Adjusted gross income means gross income less prizes awarded and federal and municipal taxes paid or owed on the income.

Returns

Operators of gaming and gambling activities on large passenger vessels file calendar year returns that are due April 15 of the following year.

Exemptions

There are no exemptions for the LPV gambling tax.

Disposition of Revenue

The division deposits all proceeds from the LPV gambling tax into the commercial vessel passenger tax (CVP) account in the general fund.

History

The LPV gambling tax was enacted by 2006 Primary Election Ballot Measure No. 2. The measure was approved by voters at the primary election of August 26, 2006. The results of the election were certified September 18, 2006 and the initiative's provisions became effective December 17, 2006. The first LPV gambling returns will be for calendar year 2007, due April 15, 2008.

The LPV Gambling tax was enacted by 2006 Primary Election Ballot Measure No. 2. First returns are due April 15, 2008.

FY 2007 Statistics

No revenue was collected in FY 2007. First-year returns are due April 15, 2008.

Mining License Tax
AS 43.65

Description

Alaska levies a mining license tax on mining net income and royalties received in connection with mining properties and activities in Alaska. The Tax Division collects mining license taxes primarily from businesses engaged in coal and hard rock mining.

Mining Net Income	Rate
\$0 - 40,000	No Tax
\$40,001 - \$50,000	\$1,200 plus 3% over \$40,000
\$50,001 - \$100,000	\$1,500 plus 5% over \$50,000
Over \$100,000	\$4,000 plus 7% over \$100,000

Returns

Mining licensees file annual returns based on the mining business' fiscal year. Calendar year returns and payment of tax are due April 30; fiscal year returns and payment are due before the first day of the fifth month after the close of the fiscal year.

Exemptions

Except for sand and gravel operations, new mining operations are exempt from the mining license tax for a period of 3½ years after production begins.

Credits

Education - Taxpayers that make contributions for educational purposes to accredited Alaska universities or colleges may claim a tax credit for 50 percent of the first \$100,000 and 100 percent of the next \$100,000 of contributions.

The maximum credit is \$150,000 for each tax year.

Minerals Exploration Incentive

- Taxpayers may claim a credit for eligible costs of exploration activities related to determining existence, location, extent, or quality of a locatable mineral or coal deposit. An approved exploration incentive credit may not exceed \$20 million and must be applied within 15 tax years after the credit is approved. Application of the credit is limited to the lesser of 50 percent of the person's mining license tax liability related to the mining operation for which eligible mining costs were incurred or 50 percent of the person's total mining license tax liability for all mining operations.

Disposition of Revenue

The division deposits revenue from the mining license tax into the General Fund. Payments received after a tax assessment are deposited into the Constitutional Budget Reserve Fund (CBRF).

History

The mining license tax dates back to 1913 and the legislature restructured it several times over the years. The original mining license tax, enacted in 1913, imposed a 0.5 percent tax on mining net income of more than \$5,000. There was no tax on net income less than \$5,000.

1915 – The territorial legislature increased the tax rate to 1 percent. The tax-free net income base remained at \$5,000.

1927 – The tax-free net income base was increased to \$10,000 and a three-tier tax rate structure was adopted with rates ranging from 1 percent to 1.75 percent for net income of more than \$1 million.

1935 – The territorial legislature restructured the tax to an eight-tier

Mining License Tax revenues increased significantly in FY 2007 to \$79 million because of high mineral prices.

tax structure with rates ranging from 0.75 percent to 4 percent for net income of more than \$1 million. The legislature decreased tax-free net income to \$5,000.

1937 – The tax-free net income base was eliminated and all net income was subject to tax. A nine-tier tax structure was adopted with tax rates ranging from 0.75 percent to 8 percent for net income of more than \$1 million.

1947 – The mining license tax was restructured by reinstating a tax-free net income base of \$1,000 and restructuring the tax rates to a five-tier structure with rates ranging from 4 percent to 8 percent for net income of more than \$100,000.

1951 – The legislature authorized a 3½ year exemption for new mining operations. This exemption does not apply to sand and gravel mining operations.

1953 – The tax-free net income base was increased to \$10,000 and rates

changed to range from 3 percent to 7 percent for net income of more than \$100,000.

1955 – The rate structure as it exists today was adopted.

1987 – The Alaska education tax credit program was enacted allowing for a tax credit up to \$100,000.

1991 – The Alaska education credit was restructured and the maximum amount was increased to \$150,000.

1995 – The legislature authorized the minerals exploration incentive credit. The credit is limited to \$20 million and taxpayers may apply the credit against 50 percent of mining license liabilities over a 15-year period.

2002 – The legislature authorized credits of up to 50 percent for contributions of not more than \$100,000 and 75 percent of the next \$100,000 in contributions made to the Alaska Veterans' Memorial Endowment Fund. The tax credit expired July 1, 2003.

FY 2007 Statistics

Tax Collections (all General Fund)	\$79,141,526
Number of Returns	291
Number of Taxpayers	224
Program Cost	\$236,061
Staffing (full time equivalent)	2.9

Motor Fuel Tax
AS 43.40

Description

Alaska levies a motor fuel tax on motor fuel sold, transferred or used within Alaska. The division collects motor fuel taxes primarily from wholesalers and distributors that hold "qualified dealer" licenses issued by the division.

Rates

Fuel Type	Rate per Gallon
Highway	8¢
Marine	5¢
Aviation Gasoline	4.7¢
Jet Fuel	3.2¢

Returns

Taxpayers file returns and make payment monthly. There are four separate returns: diesel, gasoline, aviation and gasohol.

The due date is the last day of the month following the month of sale or taxable use. Taxpayers may deduct 1 percent of the tax due, limited to a maximum of \$100 per return, as a timely filing credit.

Refunds

Consumers may claim a refund for the full tax rate if the consumer used the fuel for exempt purposes; or for the difference between the tax rate and 2¢ per gallon if the consumer used the fuel off-highway.

Resellers, usually retailers, may claim a refund for the full tax if the reseller paid the tax, and then sold the fuel for exempt use and did not collect the tax.

Exemptions

In addition to sales between qualified dealers, the following sales

and use are exempt from motor fuel tax:

- Heating
- Federal, state and local government agencies
- Foreign flights (jet fuel)
- Exports
- Power plants/utilities
- Charitable institutions
- Bunker fuel (residual fuel oil or #6 fuel oil)

Disposition of Revenue

The division deposits revenue derived from motor fuel taxes into the General Fund. Revenue from each category of fuel is accounted for separately in the division's tax accounting system. For example, proceeds from tax on motor fuel used in boats and watercraft are deposited in a special watercraft fuel tax account and proceeds from tax on motor fuel used in highway vehicles are deposited in a special highway fuel tax account within the General Fund.

The division shares with the respective municipalities 60 percent of taxes attributable to aviation fuel sales at municipally owned or operated airports. All other proceeds of the taxes on aviation fuel are deposited into a special aviation fuel tax account.

History

The motor fuel tax dates back to 1945 when the legislature imposed a tax of 1¢ per gallon on all motor fuel. Over time, the legislature enacted separate tax rates for each of the fuel categories as they exist today. Motor fuel tax rates have changed as follows.

1994 – The legislature enacted a tax decrease for bunker fuel. The tax rate decreases from 5¢ to 1¢ per gallon on bunker fuel sales exceeding 4.1 million gallons. The tax decrease expired on June 30, 1998.

The motor fuel tax dates back to 1945 when the legislature imposed a tax of 1¢ per gallon on all motor fuel.

Highway	Rate Per Gallon
1945	1¢
1947	2¢
1955	5¢
1960	7¢
1961	8¢
1964	7¢
1970	8¢

Gasohol	Rate Per Gallon
1997	8¢ / 2¢

(2¢ November through February where required)

Marine	Rate Per Gallon
1945	1¢
1947	2¢
1955	5¢
1957	2¢
1960	3¢
1971	4¢
1977	5¢

Aviation Gasoline	Rate Per Gallon
1945	1¢
1947	2¢
1955	3¢
1968	4¢
1994	4.7¢

Jet Fuel	Rate Per Gallon
1957	1.5¢
1968	2.5¢
1994	3.2¢

1997 – The legislature repealed the gasohol exemption. The legislature enacted a provision that reduces the tax on gasohol from 8¢ to 2¢ per gallon in areas and at times when the use of gasohol is required. However, gasohol has not been required since the winter of 2002-2003 and gasohol is currently taxed at the full tax rate of 8¢.

Legislation was also passed that fully exempted gasohol blended with at least 10 percent alcohol derived from wood or seafood waste. This legislation expired on June 30, 2004.

The legislature expanded the foreign flight exemption to include flights originating from foreign countries in addition to the existing exemption for flights with a foreign destination. This legislation included a permanent exemption for bunker fuel (residual fuel oil known as #6 fuel oil) which nullified the 1994 bunker fuel tax rate reduction.

1998 - The legislature authorized taxpayers to take a "bad debt" credit for sales deemed to be worthless and for sales to persons who file bankruptcy.

2003 – The legislature enacted legislation that made it easier for the state to issue motor fuel excise tax refunds for credit card purchases made by federal, state and local government agencies.

2004 – The provision that exempted gasohol blended with at least 10 percent alcohol derived from wood or seafood waste from the motor fuel tax expired on June 30, 2004. Currently all gasohol is taxed at the rate of 8 cents per gallon.

FY 2007 Statistics**Tax Collections**

Highway	\$29,360,245
Marine Fuel	5,576,852
Jet Fuel	4,124,896
Aviation Gasoline	685,844
Penalties & Interest	<u>(62,525)</u>
Total Tax Collections	39,685,312
Less Aviation Fuel Tax Shared	<u>(147,322)</u>
Total Amount Retained by State	<u>\$39,537,990</u>

Motor Fuel Type**Gallons**

Highway	343,413,022
Marine Fuel	109,751,602
Jet Fuel	159,392,320
Aviation Gasoline	14,347,643

*** Gallons noted may not compute if calculated as: Gallons X Tax Rate = Tax Collected
Gallons are recorded on the tax return and calculated based on the return tax period,
whereas tax collections are calculated based on the amount received within a time
period and may include payments or refunds from a previous tax period.*

Number of Returns	3,610
Number of Taxpayers	250
Program Cost	\$429,985
Staffing (full time equivalent)	5.2

The Oil and gas conservation surcharge revenues fund a hazardous substance release emergency fund.

Oil and Gas Conservation Surcharge
AS 43.55

Description

The Conservation Surcharge on Oil applies to all oil production within Alaska. The surcharge is a per barrel tax on oil production intended to fund the oil and hazardous substance release prevention account of the oil and hazardous substance release prevention and response fund. The Oil and Gas Production Tax (AS 43.55) and Conservation Surcharge on Oil are severance taxes.

Rate

The surcharge is comprised of two components: 1) a \$.04/bbl charge on all oil production excluding public royalty barrels and 2) an additional \$.01/bbl charge on all oil production whenever the balance in the state oil and hazardous substance release prevention and response fund falls below \$50 million. The balance of the fund was less than \$50

million for all of FY 2007 so that the surcharge was \$.04/bbl for the entire fiscal year.

History

1989 - Following the grounding of the Exxon Valdez, this tax was enacted in order to provide a hazardous substance release emergency fund. A \$.05/bbl hazardous release surcharge is imposed on oil production until the newly created hazardous substance release fund achieves a balance of \$50 million.

1994 - The hazardous release surcharge is modified to the so-called "split nickel" with an ongoing charge of \$.03/bbl and an additional charge of \$.02/bbl whenever the hazardous substance release fund balance falls below \$50 million.

2006 - Ongoing "split nickel" charge increased from \$.03 to \$.04 per barrel and the additional charge was decreased from \$.02 to \$.01 per barrel.

FY 2007 Statistics

Tax Collections	\$10,103,767
Number of Returns*	38
Number of Taxpayers*	11

* The Conservation Surcharge on Oil is reported on the same return and by the same taxpayers as is Alaska's other production tax, Oil and Gas Production Tax (AS 43.55). The Division has not segregated program cost and staffing related to each individual tax. The division reports the total production tax cost and staffing in the discussion of Oil and Gas Production Tax.

Oil and Gas Production Taxes

AS 43.55

Description

Alaska levies a tax on oil and gas production income derived from production activities in the state.

The legislature amended oil and gas production tax statutes in special session ended November 2007 that culminated in the passage of the Alaska Clear and Equitable Share (ACES).

Like the PPT legislation enacted in 2006, the ACES tax is levied on the net value of oil and gas production. The base tax rate under ACES is 25% (it was 22.5% under PPT) and the progressive surcharge tax rate under ACES is 0.4% for every dollar the net profit per barrel exceeds \$30 (it was 0.25% on profits exceeding \$40 per barrel under PPT). The ACES system continues to authorize credits for capital expenditures, exploration costs, prior year investments and small producer incentives, as the PPT did, but there were some amendments to the rate and timing of these credits.

The ACES tax also subjects legacy fields Prudhoe Bay and Kuparuk to a standard deduction for operating expenditures. The standard deduction amount is based on 2006 operating expenditures reported by respective companies with a 3% per year inflation component. The standard deduction provision will sunset at the end of calendar year 2009, unless the legislature votes to extend it.

In regard to administrative changes, the ACES legislation requires more thorough reporting from companies. Companies will be required to report

volumes and expenditures used to calculate their estimated monthly installments. On March 31st of each year, companies will submit an annual tax return that will "true-up" any tax liabilities or overpayments made throughout the year. Twice yearly, companies will be required to provide the Department of Revenue with their best estimates of future oil production and lease expenditures. These reporting requirements will greatly enhance the department's ability to forecast expenditures and revenues from oil and gas production.

Among other administrative changes, ACES provides for a class of auditors that will be exempt from the state classified pay scale, and auditors will have six years over which to complete production tax audits. The department expects that these two improvements will enable the state to be more thorough in its review of company-reported expenditures.

The majority of the ACES tax is retroactive to July 1, 2007, although some provisions are retroactive to the implementation of the PPT (April 1, 2006). Work on regulations began January 2008, and the first ACES monthly estimated payments are expected to be filed at the end of February 2008. The first annual filing and "true-up" of five months difference between PPT and ACES tax rates from July 1, 2007, through December 31, 2007, will be due on March 31, 2008.

Rate

The base tax rate under ACES is 25% (it was 22.5% under PPT) and the progressive surcharge tax rate under ACES is 0.4% for every dollar the net profit per barrel exceeds \$30 (it was 0.25% on profits exceeding \$40 per barrel under PPT).

The legislature passed ACES legislation in a November 2007 Special Session.

In 2006, the filing requirement for the oil and gas production tax changed from monthly to calendar year. Taxpayers still make monthly estimated payments.

Returns

Oil and gas taxpayers file calendar year returns that are due with payment on March 31 of the following year. Taxpayers are required to make monthly estimated payments, based on activities of the prior month, due the last day of the following month.

percent to 3 percent of production value.

1970 – The legislature repeals the disaster oil and gas production tax. The legislature changes the oil production tax to a graduated tax with rates of 3 percent on the first 300 barrels per day per well, 5 percent on the next 700 barrels per day per well, 6 percent on the next 1500 barrels per day and 8 percent on production exceeding 2500 barrels per day per well.

Exemptions

The tax on oil is levied on all production except for public (government) royalty production. The tax on gas is levied on all production except for public (government) royalty production and gas used in production operations including enhanced recovery, or flared for safety purposes.

1972 – The legislature establishes a minimum oil production tax based on "cents per barrel" equivalent to percent of value tax on oil with wellhead value of \$2.65 per barrel.

1973 – The legislature revises the "stairstep" rate schedule to lower production levels. The legislature indexes the cents per barrel minimum to the wholesale price index for crude oil published by the US Bureau of Labor Statistics.

Credits

Education - Taxpayers that make contributions to accredited Alaska universities or colleges for educational purposes may claim a tax credit for 50 percent of the first \$100,000, 100 percent of the next \$100,000 of contributions with a maximum credit of \$150,000 per tax year.

1977 – The legislature raises the nominal gas production tax rate to 10 percent. The legislature raises the nominal oil production tax rate to 12.25 percent and adopts the oil and gas economic limit factors.

Disposition of Revenue

All revenue derived from the Oil and Gas Production Tax is deposited in the General Fund except that payments received as a consequence of an assessment or litigation are deposited in the Constitutional Budget Reserve Fund (CBRF)

1981 – As part of legislation that repealed the separate accounting oil and gas corporation income tax, the nominal tax rate on oil produced prior to 1981 was raised to 15 percent and fields coming into production after 1981 are taxed at 12.25 percent for five years after which the rate increases to 15 percent. The oil economic limit factor is now subject to a rounding rule so that if the calculated factor is greater than or equal to 0.7 during the first 10 years of production, the factor is set to 1.0.

History

1955 – The legislature enacts an oil and gas production tax of 1 percent of production value.

1967 – A 1 percent disaster production tax is enacted to provide relief after the Fairbanks flood.

1968 – The legislature increases oil and gas production tax from 1

1989 – The legislature changes the economic limit factor for oil production taxes to include a field

size factor in the formula, fixes the production at the economic limit (not rebuttable) at 300 barrels per well per day, and drops the rounding rule. The legislature fixes production at the economic limit for gas production at 3000 mcf per well per day.

2002 – The legislature authorized credits of up to 50 percent for contributions of not more than \$100,000 and 75 percent of the next \$100,000 in contributions made to the Alaska Veterans' Memorial Endowment Fund. The tax credit expired July 1, 2003.

2003 – To encourage drilling for oil and gas within the state, AS 43.55.025 provided a new tax credit for exploration costs. The minimum credit is 20 percent and the maximum 40 percent for qualified expenditures.

2005 - Prudhoe Bay area oil fields are aggregated for purposes of calculating the economic limit factor, effective February 1, 2005.

2005 – To expand the exploration credit enacted the previous year, the deadline was extended until July 1, 2010 for qualifying work south of the Brooks Range (i.e. non-North Slope). New rules also changed the 3 mile and 25 mile rules for the Cook Inlet allowing closer distances between potential exploration targets and existing wells and production units.

2005 – The legislature amended royalty received by the state on gas production by directing the commissioner of the Department of Natural Resources to accept the transfer price of gas as established by the Regulatory Commission of

Alaska under certain conditions. The legislation also extended and amended the requirements applicable to the credit that may be claimed for certain oil and gas exploration expenses incurred in Cook Inlet against oil and gas production (severance) taxes. This legislation also amended the credit against those taxes for certain exploration expenditures from leases or properties in the state. The legislation was signed in to law July 21, 2005 with an immediate effective date.

2006 – The legislature passed sweeping legislation in a special session ended in August 2006 that established an income based tax (Petroleum Profits Tax - PPT); established new tax rates on oil and gas production; repealed the Economic Limit Factor (volume based tax), and provided credits for certain qualifying expenditures and taxpayers.

2007 – The legislature amended PPT legislation in special session ended November 2007 that culminated in the passage of the Alaska Clear and Equitable Share (ACES). The ACES legislation increased the base tax rate from 22.5% to 25%, and amended the progressive surcharge tax rate to 0.4% for every dollar the net profit per barrel exceeds \$30 (it was 0.25% on profits exceeding \$40 per barrel under PPT). The ACES legislation continued the authorization of credits for capital expenditures, exploration costs, prior year investments and small producer incentives with some amendments to the rate and timing of these credits.

The Alaska Legislature amended the oil and gas production tax with passage of ACES legislation in a special session ended November 2007.

FY 2007 Statistics

Tax Collections	
General Fund	\$2,271,475,843
Constitutional Budget Reserve Fund	<u>17,510,672</u>
Total	<u>\$2,288,986,515</u>
Number of Returns	38
Number of Taxpayers	11
Program Cost	\$3,289,411
Staffing (full time equivalent)	36.7

Oil and Gas Property Taxes (Exploration, Production and Pipeline Transportation Properties) AS 43.56

Description

Alaska levies an oil and gas property tax on the value of taxable exploration, production and pipeline transportation property in the state. The division has established procedures for the three distinct classes of property.

- **Exploration Property** – valued on the estimated price which the property would bring in an open market and under the then prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels.
- **Production Property** – valued on the basis of replacement cost of similar new property, less depreciation based on the economic life of the proven reserves.
- **Pipeline Transportation Property** – generally valued on its economic value relative to the reserves feeding into the pipeline.

Rate

The state tax rate is 20 mills, or 2%, of the assessed value.

Returns

Taxpayers file annual returns reporting taxable property as of January 1 of the assessment year. Returns are due on or before January 15. Payment is due on or before June 30.

Exemptions

Oil and gas reserves, oil or gas leases, and the lease or rights to explore or produce oil or gas are exempt, as are intangible drilling

and exploration expenditures. Certain aircraft, motor vehicles, communication facilities, and buildings may be exempt even though they are associated with oil or gas exploration, production, or pipeline transportation. Oil or gas pipeline transportation systems owned and operated by a public utility are exempt.

Credits

Municipal property taxes paid. Taxpayers receive a credit against state oil and gas property tax for property taxes paid to municipalities on taxable property. The credit is limited to the amount of state tax otherwise due.

Oil or Gas Property Education Credit. Taxpayers that make contributions for educational purposes to accredited Alaska universities or colleges may claim a tax credit for 50% of the first \$100,000 and 100% of the next \$100,000 of contributions. The maximum credit is \$150,000 for each tax year.

Disposition of Revenue

The division deposits revenue from oil and gas property taxes into the General Fund. Payments received after a tax assessment are deposited into the Constitutional Budget Reserve Fund (CBRF).

History

The legislature enacted this tax in 1973 during the first special session of the eighth legislature. The state assists local governments by assessing property subject to the tax, insuring uniform treatment of all taxable property.

Oil or gas pipeline transportation systems owned and operated by a public utility are exempt from property tax.