



FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB102-DOA-DMV-2-10-07
 Bill Version: HB 102
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title "An Act relating to vacating lanes or slowing down RDU Division of Motor Vehicles
for certain vehicles stopped...." Component Motor Vehicles
 Sponsor Rep. Coghil
 Requester (H) TRA Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type—Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill does not impact the Division of Motor Vehicles.

Prepared by: Duane Bannock, director
 Division: Motor Vehicles
 Approved by: Kevin Brooks, Deputy Commissioner
 Agency: Department of Administration

Phone 465-2200
 Date/Time 2/10/2007 11:00a
 Date 2/12/2007

FISCAL NOTE

**STATE OF ALASKA
2007 LEGISLATIVE SESSION**

Fiscal Note Number: HB102-LAW-CJL-2-13-07
 Bill Version: HB 102
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title An Act relating to passing stations; vehicles. RDU Criminal
 Component Criminal Justice Litigation
 Sponsor Representative Coghil
 Requester House Transportation Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill would require a driver to safely vacate the adjacent lane or slow to a reasonable speed when passing certain stationary vehicles being used to perform official duties. The bill would apply to tow-trucks as well as police, fire, emergency and animal control vehicles when the stationary vehicle is displaying flashing emergency lights. The department does not anticipate any significant fiscal impact.

Prepared by: Robert Meiners, Acting Director
 Division: Administrative Services Division
 Approved by: Robert Meiners for Taina Colberg, Attorney General
 Agency: Department of Law

Phone 465-5427
 Date/Time 2/13/07 10:27 AM
 Date 2/13/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB102-DPS-AST-2-14-07
 Bill Version: HB 102
 () Publish Date: _____

Revision Date/Time : _____
 Title An act relating to passing stationary vehicles

Dept. Affected: Public Safety
 RDU Alaska State Troopers
 Component AST Detachments

Sponsor Representative Coghill
 Requester House Transportation Committee

Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill is an act relating to vacating lanes or slowing down for certain vehicles stopped along the side of a road.

Passage of this legislation will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt. Rodney Dial
 Division: Division of Alaska State Troopers
 Approved by: Commissioner Walt Monegan
 Agency: Department of Public Safety

Phone 907-247-4480
 Date/Time 2/9/07 1800
 Date 2/14/2007

Public Safety Employees Association, Inc.
"Representing Alaska's Finest"

HB 102 Position Paper

The Public Safety Employees Association supports HB 102. The bill's goal is to correct a technical error in AS 28.35.185. The bill clarifies the requirement for motorists to vacate lanes or slow down when coming upon an accident. The bill promotes safety, encourages the most expedient flow of traffic, and protects public safety and emergency responders during highway emergencies or enforcement.

Accidents on our highways endanger more than the motorists involved in the accident, so expedient efforts to clear an accident and to slow traffic during a mishap prevents the further loss of property, life or injury.

HB 102 clarifies the intent of AS 28.35 to require motorists, when approaching either emergency or law enforcement vehicles performing official duties, to vacate the lane on highways with two or more lanes, and for motorists to slow to a reasonable and prudent speed on highways with fewer than two lanes. Requiring motorists to vacate a lane where an accident has occurred on multilane highways promotes safer driving conditions for motorists and provides a cushion in which emergency responders and law enforcement can more safely perform their duties. Requiring motorists to reduce speed on single lane highways, when approaching a scene where either law enforcement or emergency responders are working, is safer for motorists and for those performing their public safety duties and responsibilities.

HB 102 has the potential to save the lives of public safety officers conducting traffic stops, emergency personnel responding to accidents, tow truck operators working an accident, and fire fighters stabilizing an accident area.

We appreciate Representatives John Coghill and Nancy Dahlstrom for offering this technical change so that AS 28,35 achieves the purpose for which it was offered in 2004.

2/15/07

HB

106

State of Alaska
Department of Revenue
Commissioner's Office



SARAH PALIN, GOVERNOR
333 Willoughby Avenue, 11th Floor
P.O. Box 110400
Juneau, Alaska 99811-0400
Phone: (907) 465-2300
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January 16, 2008

The Honorable Kyle Johansen
Chair House Transportation Committee
Alaska State Legislature
Juneau, Alaska

Re: HB 106, Repeal Tire Tax

Dear Chairman Johansen:

House Bill 106 was referred to the House Transportation Committee.

HB 106 repeals fees imposed on the sale of new tires, the sale of certain studded tires, and the installation of certain metal studs on tires. Families in Alaska should not be financially penalized by purchasing safer tires for their vehicle.

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 that are studded with metal studs weighing more than 1.1 grams each and on the installation of such metal studs on tires. HB 106 would repeal all of those fees, effective July 1, 2007.

I respectfully request that HB 106 be scheduled for a hearing at your earliest convenience. I urge your prompt and favorable action on this measure.

If you need assistance or information, please do not hesitate to contact Jerry Burnett at 465-2312.

Very truly yours,

Patrick Galvin
Commissioner

SARAH PALIN
GOVERNOR

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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 19, 2007

The Honorable Kyle Johansen, Chair
House Transportation Committee
Alaska State Legislature
State Capitol, Room 13
Juneau, Alaska 99801-1182

Dear Rep. Johansen:

I respectfully request a hearing of Governor Palin's legislation, 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."

Families in Alaska should not be financially penalized by purchasing safer tires for their vehicle.

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 and 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 and on the installation of such metal studs on tires. The Governor's bill would repeal all of those fees, effective July 1, 2007.

I urge your prompt and favorable action on it.

Thank you,


John Bitney
Legislative Director

exemption from local assessments and extends to land received in an exchange under § 22(f) of the federal Act or AS 38.50.

(d) Use of the terms "corporate funds" and "dividends", in § 7(j) and (m) of the federal Act, does not determine whether the money is a dividend, distribution to shareholders, funds which are property, surplus or capital of a regional corporation for the purposes of this title or AS 10.06 or other applicable state law, the provisions of § 8, ch 70, SLA 1972 notwithstanding. (§ 5 ch 70 SLA 1972; am §§ 74, 75 ch 14 SLA 1987; am §§ 51, 52 ch 56 SLA 2005)

Revisor's notes. — Formerly AS 43.80.015. Renumbered in 2002. In 1988 "AS 10.06" was substituted for "AS 10.05" in subsection (d) to conform to the enactment of AS 10.06 and the repeal of AS 10.05 by ch. 166, SLA 1988.

Effect of amendments. — The 2005 amendment,

effective June 25, 2005, updated federal references in subsections (a) and (b) and made stylistic changes.

Legislative history reports. — For report on ch. 70, SLA 1972 (CSHB 731), see 1972 House Journal, p. 837.

Sec. 43.98.025. Tire fees. (a) A fee of \$2.50 a tire is imposed on the retail sale of new tires for motor vehicles designed for use on a highway.

(b) In addition to the fee imposed under (a) of this section, a fee of \$5 a tire is imposed on the retail sale in the state on or after July 1, 2004, of tires for motor vehicles designed for use on a highway that are studded with metal studs or spikes weighing more than 1.1 grams each embedded in the periphery of the tire surface and protruding beyond the tread surface of the tire, or on the installation in the state on or after July 1, 2004, for a fee of metal studs or spikes weighing more than 1.1 grams each on a tire for a motor vehicle designed for use on a highway.

(c) A seller shall add the amount of the fees imposed by this section to the total price of the tire or service subject to the fees, and the fees shall be stated separately on any sales receipt, invoice, or other record of the sale or other transfer or of the installation of studs. That portion of the total price of the tire or service consisting of the fees imposed by this section is not subject to a sales tax or a use tax imposed by the state or a subdivision of the state.

(d) A seller shall collect the fees from the purchaser. A seller shall file a return on a form prescribed by the department and remit the fees collected to the department not later than 30 days following the last day of the calendar quarter of the sale or installation.

(e) A seller remitting the fees collected under this section to the department within 30 days after the last day of the preceding calendar quarter may retain five percent of the amount collected, not to exceed \$900 a quarter, to cover expenses associated with collecting and remitting the fees.

(f) The provisions of AS 43.05 and AS 43.10 apply to this section.

(g) The fees imposed in this section do not apply to the following tires and services if the purchaser provides the seller with a certificate of use on a form prescribed by the department:

(1) tires or services sold to federal, state, or local government agencies for official use; or

(2) tires for resale.

(h) In this section,

(1) "highway" has the meaning given in AS 28.90.990;

(2) "motor vehicle" has the meaning given in AS 28.90.990;

(3) "seller" means a seller of tires or a person who installs studs on motor vehicle tires for a fee. (§ 1 ch 131 SLA 2003)

Revisor's notes. — In 2003, in (h)(1) and (2) of this section, "AS 28.90.990" was substituted for "AS 28.40.100" to reflect the 2003 renumbering of AS 28.40.100.

Effective dates. — Section 1, ch. 131, SLA 2003,

which enacted this section, took effect on September 26, 2003.

Legislative history reports. — For governor's transmittal letter for ch. 131, SLA 2003 (Senate Hill 106), see 2003 Senate Journal 391.

Alaska State Legislature



HOUSE TRANSPORTATION COMMITTEE

Representative Kyle Johansen, Chair

3/25/08

To: House Transportation Committee Members

From: David Scott, Committee Aide

HB 106 was heard and held in HTRA on 4/26/07.

Members present: Rep. Johansen
Rep. Neuman
Rep. Johnson
Rep. Fairclough
Rep. Doogan
Rep. Salmon

Presenters: Jerry Burnett, Legislative Liaison, Department of Revenue
Mary Siroky, Legislative Liaison, Department of Transportation

Attached to this memo are the minutes for that portion of the hearing.

Key points are:

- HB 106 repeals \$2.50 tax for new tires and the \$5.00 tax on studded tires.
- Administration believes safer tires shouldn't be penalized
- Mr. Burnett said that the revenue from the tax is roughly \$1.6 million/year.
- Mr. Burnett said that operational cost to administer the tax is \$55,000/year.
- Mr. Burnett said that it's the only tax imposed at the retail level.
- Revenue goes to General Fund and isn't tied to any specific program.
- Mr. Burnett said that there is no plan to replace the revenue as it's a very small revenue source and revenue projections are great enough to cover the cost.
- Referring to the effect of studded tires on roadways, Ms. Siroky noted that there are different types of studs, which result in different wear and tear on the pavement. It is her understanding that metal studs are the most abrasive.

aforementioned technology and others and a year round marine highway.

MR. OTTESEN pointed out that the area plans over the last 10 years all included [review] of new technologies. He highlighted that the department has reviewed the new dirigibles and tilt rotor crafts, hover crafts, and fast ferries.

2:41:36 PM

REPRESENTATIVE DOOGAN noted his support of the legislation, but expressed his desire that the committee's concern with the size of the fiscal note be related to the House Finance Committee.

2:42:08 PM

REPRESENTATIVE NEUMAN moved to report CSHB 80, Version 25-LS0360\K, Kane, 4/26/07, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 80(TRA) was reported from the House Transportation Standing Committee.

The committee took an at-ease from 2:42 p.m. to 2:46 p.m.

HB 106-REPEAL FEES FOR STUDED TIRES

2:46:19 PM

CHAIR JOHANSEN announced that the next order of business would be HOUSE BILL NO. 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."

2:46:37 PM

JERRY BURNETT, Legislative Liaison, Director, Administrative Services Division, Department of Revenue, explained that HB 106 repeals the \$2.50 tax for new tires and the \$5.00 tax on studded tires. The administration doesn't believe the aforementioned tax is an efficient way to raise money. He related his understanding that it's the only tax that the state imposes at the retail level. The administration believes that families who install safer tires shouldn't be penalized.

2:48:09 PM

REPRESENTATIVE FAIRCLOUGH inquired as to the governor's plan to replace the revenue generated by these taxes.

MR. BURNETT related his understanding that the revenue from these taxes amount to about \$1.6 million a year with operational costs of about \$55,000 a year. At this point, there is no plan to replace the revenue as it's a very small revenue source and the 2007 revenue projections are great enough [to cover the loss]. If the desire is to replace these taxes, one would want to do so with a tax that is more efficiently administered and one that's not a retail-level tax.

2:49:10 PM

REPRESENTATIVE FAIRCLOUGH inquired as to the maintenance costs on the roads.

MR. BURNETT said he couldn't answer that, but offered that it's clearly in the tens of millions of dollars or more. He reminded the committee that the revenue from the existing tax on tires goes to the general fund and isn't tied to any specific program.

2:49:36 PM

REPRESENTATIVE FAIRCLOUGH asked whether the administration will be recommending an increase in the fuel tax.

MR. BURNETT said that he isn't aware of any [proposal] for such an increase. He informed the committee that to replace the tax would require a .4 of a cent tax per gallon. Alaska has the second lowest fuel tax in the nation, he noted.

2:50:18 PM

REPRESENTATIVE NEUMAN, continuing on the line of comments by Representative Fairclough, opined that the state will be facing a deficit situation in the next couple of years. He mentioned his support for removing this tax, and then related his understanding that tobacco and alcohol have a retail-level tax.

MR. BURNETT clarified that tobacco and alcohol taxes as well as motor fuel taxes are collected by the distributors.

2:51:05 PM

CHAIR JOHANSEN related that he has anecdotally heard of the effects of studs on the roads.

2:51:40 PM

MARY SIROKY, Legislative Liaison, Office of the Commissioner, Department of Transportation & Public Facilities, confirmed that there are different kinds of studs, which result in different wear and tear on the pavement. She related her understanding that the metal studs are the most abrasive. She highlighted that many are using the new tires, which were developed for all seasons and provide a more significant stopping ability, rather than studs.

2:52:26 PM

REPRESENTATIVE NEUMAN inquired as to why the legislation would refer to certain metal studs as opposed to just metal studs.

MS. SIROKY said she didn't know why that language was chosen.

2:52:50 PM

REPRESENTATIVE NEUMAN asked if the governor intends to remove the tax on studded tires.

MR. BURNETT explained that current statute requires a \$5 fee for tires with a stud weight of more than 1.1 grams. Therefore, the language referring to certain studs was used because there isn't a \$5 fee for those who use the very light weight studs. Mr. Burnett recalled that passage of the tax was to encourage the use of light weight studs.

2:53:31 PM

CHAIR JOHANSEN asked if there is any data regarding the impact of the tax.

MS. SIROKY said she doesn't know if DOT&PF has any data that speaks to a differential in the wear and tear associated with the passage of the tax. She offered to see if such data exists.

MR. BURNETT said that there is no evidence in the trend that fewer studded tires are being sold. However, the law has only been in effect since 2004.

2:54:20 PM

REPRESENTATIVE NEUMAN asked if deletion of the term "certain" would be problematic.

MR. BURNETT reminded the committee that the effect of this legislation is to remove the taxes on tires, including all studded tires. The reason for the language in the title is that the existing statute taxes only certain studded tires at a differential rate. The language is consistent with what the legislation would actually do.

2:55:12 PM

REPRESENTATIVE NEUMAN surmised that if the title remains the same, the intent is to remove the tax on studs and tires and all taxes placed on tires.

MR. BURNETT replied yes.

2:55:43 PM

REPRESENTATIVE NEUMAN asked if the title of the legislation should be changed to reflect [the intent].

2:56:01 PM

REPRESENTATIVE FAIRCLOUGH opined that it has been appropriately handled. She then read the existing statute, which is specific to metal studs.

2:56:44 PM

CHAIR JOHANSEN, upon determining there were no other questions or persons wishing to testify, closed public testimony. He related his understanding that there are a few outstanding questions, and therefore he would hold over HB 106.

2:57:21 PM

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 2:57 p.m.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 106A
 () Publish Date: _____

Identifier (file name): HB106-DOR-TAX-1-15-08 Dept. Affected: Revenue 04
 Title: Tire Fee Repeal RDU: Taxation and Treasury
 Component: Taxation and Treasury
 Sponsor: Governor
 Requester: House Transportation Component Number: 2478

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		(2.8)	(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
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CHANGE IN REVENUES ()		(1,184.0)	(1,515.0)	(1,530.0)	(1,546.0)	(1,562.0)	(1,578.0)
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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: 0.0

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 Stikel, Economist
 Division: Tax
 Approved by: Jerry Burnett
Department of Revenue

Phone: (907) 465-3279
 Date/Time: 1/15/08 12:00 AM
 Date: 1/15/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

BILL NO. HB 106A

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.

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 FY 2007 in the statu accounting system.

Alaska Tax Division 2007 Annual Report

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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

- Div. 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

Oil and Gas						
Production ¹	\$2,288,986,515	64.55%	\$1,194,317,635	51.14%	\$880,644,819	50.82%
Corporate Income ²	678,111,422	19.07%	702,211,982	30.06%	529,944,518	30.56%
Property ³	65,692,187	1.85%	54,557,701	2.34%	42,911,633	2.15%
Conservation Surcharge	<u>10,103,787</u>	<u>0.28%</u>	<u>7,758,733</u>	<u>0.33%</u>	<u>8,330,521</u>	<u>0.48%</u>
Total Oil and Gas	<u>3,043,893,711</u>	<u>85.75%</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%	18,637,936	0.80%	10,317,238	0.60%
Tobacco ⁴	72,875,033	2.05%	45,450,975	2.80%	56,167,272	3.24%
Motor Fuel ⁵	39,685,312	1.12%	42,110,897	1.80%	39,564,566	2.28%
Alcoholic Beverages ⁶	36,038,454	1.02%	35,225,175	1.51%	35,516,650	2.05%
Fisheries Business ⁷	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 ⁸	11,011,954	0.31%	10,478,868	0.45%	8,645,226	0.50%
Vehicle Rental	8,018,809	0.23%	7,657,516	0.33%	7,496,291	0.43%
Regulatory Cost Charge	7,885,181	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 ⁹	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 ¹⁰	2,052,277	0.06%	1,905,896	0.08%	2,029,809	0.12%
Electric Cooperative ¹¹	2,029,554	0.06%	1,971,660	0.08%	1,939,598	0.11%
Tax Fee	1,511,917	0.04%	1,818,687	0.07%	1,578,885	0.09%
Seafood Development	1,266,333	0.04%	152,465	0.01%	N/A	0.00%
Wild Fishery Management	426,006	0.01%	273,521	0.01%	411,267	0.02%
Estate	133,081	0.00%	578,261	0.02%	1,538,592	0.09%
Salmon Marketing	<u>20,981</u>	<u>0.00%</u>	<u>48,790</u>	<u>0.00%</u>	<u>2,455,765</u>	<u>0.14%</u>
Total All Funds	<u>\$ 3,545,865,901</u>	<u>100.00%</u>	<u>\$ 2,220,712,899</u>	<u>100.00%</u>	<u>\$ 1,732,952,489</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 \$247,158,729 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.

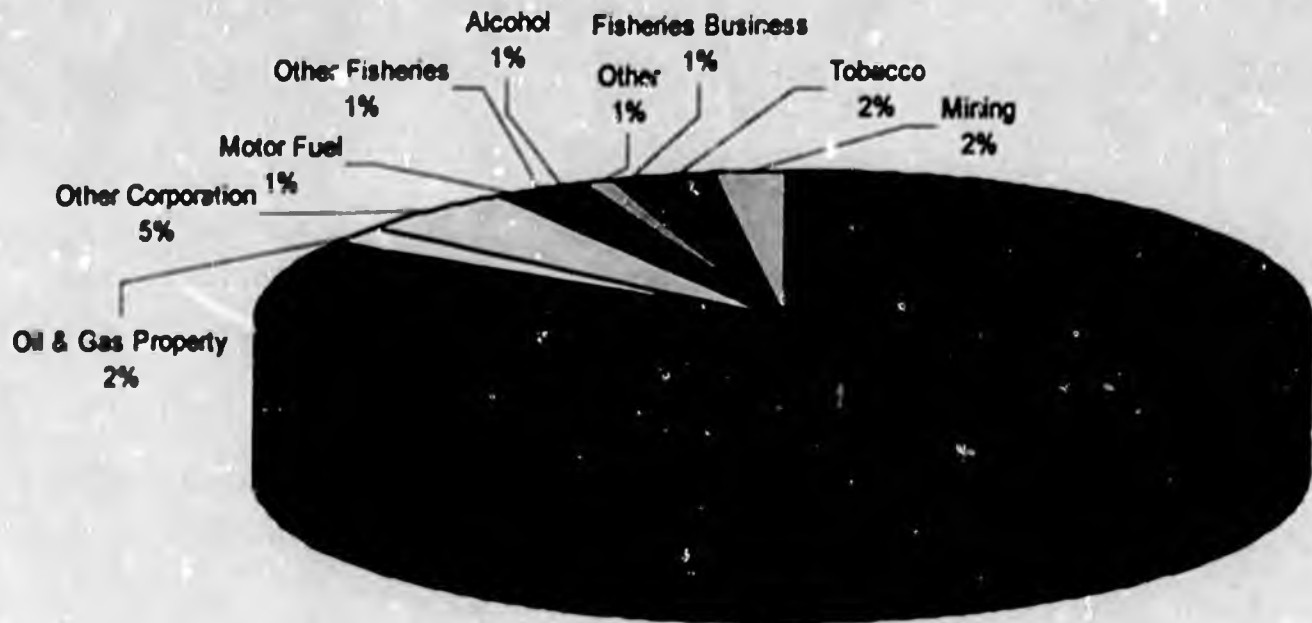
³ Prior to sharing with municipalities or agriculture associations.

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	\$83,516,505	82.63%	\$41,140,802	94.05%	\$5,714,388	20.65%
Oil & Gas Production	17,510,672	17.32%	2,566,312	6.64%	21,310,000	77.77%
Oil and Gas Property	90,640	0.05%	60,268	0.11%	376,915	1.38%
Mining License	<u>0</u>	<u>0.00%</u>	<u>0</u>	<u>0.00%</u>	<u>0</u>	<u>0.00%</u>
Total CBRF	<u>\$101,117,817</u>	<u>100.00%</u>	<u>\$43,747,182</u>	<u>100.00%</u>	<u>\$27,091,303</u>	<u>100.00%</u>
School Fund	\$26,972,936	100.00%	\$27,391,291	100.00%	\$29,958,353	100.00%
Tobacco Use Education and Cessation Fund	\$3,262,925	100.00%	\$2,894,938	100.00%	\$1,111,100	100.00%
Alcohol and Other Drug Abuse Treatment and Prevention Fund	\$18,816,564	100.00%	\$17,812,538	100.00%	\$17,758,496	100.00%

Figure 2
Tax Division Collections – All Funds



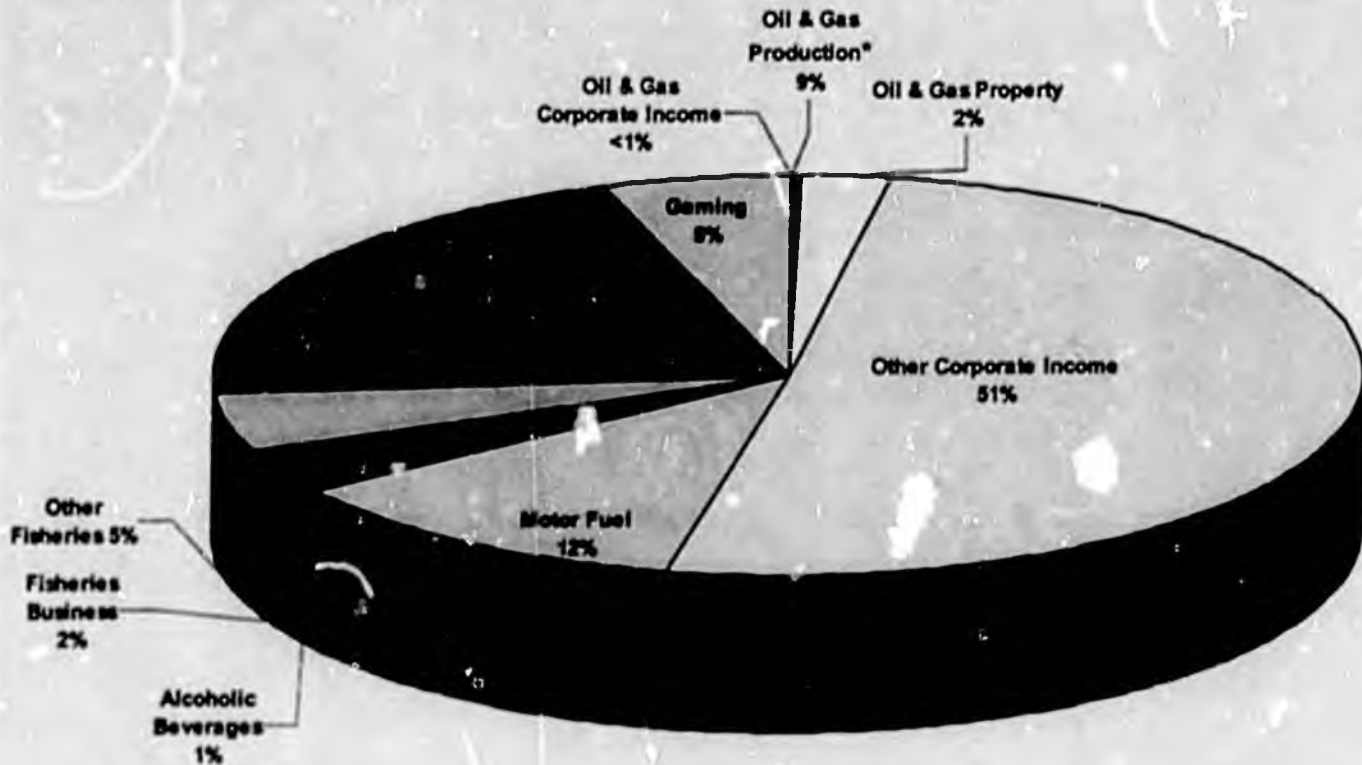
Total Tax Collections \$3,545,865,901

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.

Figure 3
Tax Returns Filed



Total Tax Returns Filed 29,897

Oil and Gas	Fisheries Business	669	Other
Production*	38	Other Fisheries	Commercial Passenger Vehicle
Corporate Income	63	Salmon Enhancement	Estate
Property	735	Seafood Marketing	Electric Cooperative
Other Corporate Income	15,122	Fishery Resource Landing	Mining License
Motor Fuel	3,610	Dive Fishery Management	Telephone Cooperative
Alcoholic Beverages	340	Seafood Development	Regulatory Cost Charges
		Salmon Marketing	Tire Fee
		Tobacco	4,621
		Gaming**	1,581

* Under (PPT) legislation enacted in August 2006, the filing requirement for oil and gas taxes changed from a monthly to an annual basis.

** Annual financial statements and reports filed by permittees, operators, multiple beneficiary permittees, distributors and manufacturers.

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 from 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.

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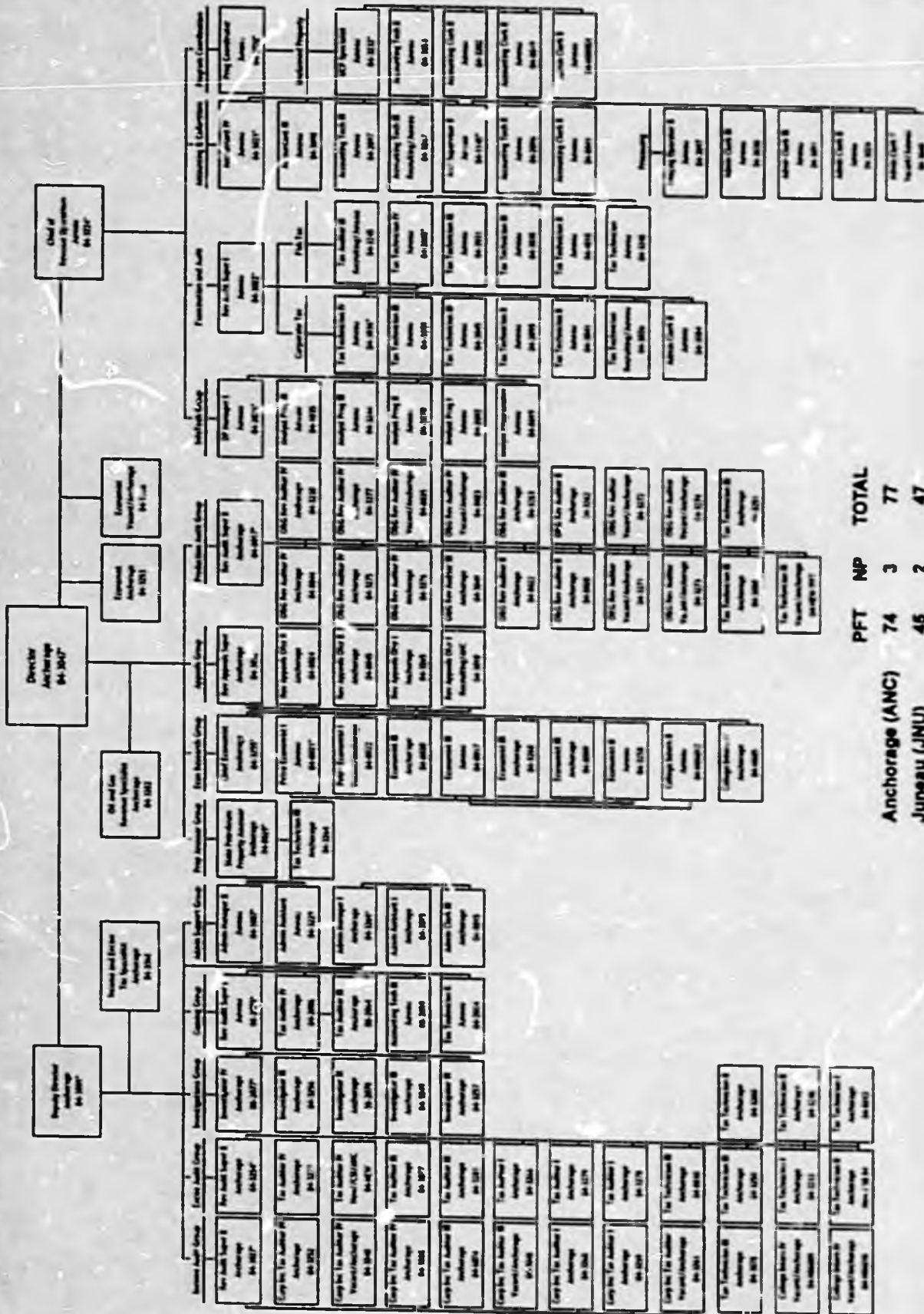
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Tax Division Organization Chart FY 2007



	PFT	NP	TOTAL
Anchorage (ANC)	74	3	77
Juneau (JNU)	45	2	47
	119	5	124

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.

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.

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

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 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

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.

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.

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

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 protest assessments, issues informal conference decisions, and represents the division in formal hearings before the Office of Administrative Hearings. In addition,

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 focuses 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

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	260,828,754
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	1,915,098,089	1,434,430,188
Constitutional Budget Reserve Fund - CBRF			
Corporate Income Tax	83,518,505	41,140,602	5,714,3880
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	(732,713)	(900,644)	(539,445)
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 EXPENSE			
Tax Before Credits	\$79,393,532	\$18,759,872	\$10,467,238
Mineral Exploration Incentive Credit	(1,380)	0	0
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

Cigarette	\$84,235,755	\$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>(597,558)</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>

*All cigarette license fees are included in this amount.

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 by State	<u>\$39,537,990</u>	<u>\$41,981,560</u>	<u>\$39,413,858</u>

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>1,216</u>	<u>618</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>(17,758,486)</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

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>(1,530,472)</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)		
Amount Transferred to Regional Cruise Ship Impact Fund	<u>(3,985,434)</u>	Not Applicable	Not Applicable
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 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	<u>0</u>	<u>0</u>	<u>0</u>
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	<u>(875,527)</u>	<u>(1,235,280)</u>	<u>(604,767)</u>
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

Passenger	\$7,635,227	\$7,246,318	\$7,147,231
Recreational	360,289	346,479	327,811
Penalties and Interest	<u>23,093</u>	<u>64,359</u>	<u>23,949</u>
Total Receipts	<u>\$8,018,609</u>	<u>\$7,657,116</u>	<u>\$7,498,991</u>

Electric	\$2,030,318	\$2,161,642	\$1,967,201
Local Exchange Telephone	2,115,367	1,973,630	1,908,458
Water & Wastewater	601,296	705,229	540,456
Pipeline Carriers	1,082,667	688,810	655,590
Interexchange Telephone	499,441	649,821	538,209
Natural Gas	1,063,902	605,596	575,678
Refuse	234,635	311,299	263,218
Regulated Cable	36,059	30,797	37,161
District Heat	<u>1,514</u>	<u>4,283</u>	<u>5,456</u>
Total Receipts	<u>\$7,895,181</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

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>

Note: The seafood marketing assessment rate increased from .3% to .5% effective January 1, 2005.

Tax by Aquacultural Region			
Southern Southeast	\$1,020,406	\$1,052,179	\$915,005
Northern Southeast	1,501,978	1,139,253	1,230,090
Prince William Sound	785,835	678,906	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>

PULL-TAB			
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	<u>(1,953,132)</u>	<u>(1,804,506)</u>	<u>(1,926,187)</u>
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

Total Receipts	\$2,079,554	\$1,971,690	\$1,939,598
Taxes shared	<u>(1,953,262)</u>	<u>(1,893,770)</u>	<u>(1,868,400)</u>
Amount Retained by state	<u>\$76,292</u>	<u>\$77,920</u>	<u>\$71,198</u>
Non-Studded	\$1,075,505	\$1,146,502	\$1,136,589
Studded	409,979	446,771	436,440
Penalties and Interest	<u>26,433</u>	<u>25,414</u>	<u>5,850</u>
Total Receipts	<u>\$1,511,917</u>	<u>\$1,618,687</u>	<u>\$1,578,885</u>
Total Receipts	<u>\$133,081</u>	<u>\$578,281</u>	<u>\$1,538,927</u>
Southeast Alaska - Management Area A	<u>\$426,006</u>	<u>\$273,521</u>	<u>\$411,267</u>
Total Receipts	<u>\$426,006</u>	<u>\$273,521</u>	<u>\$411,267</u>
Tax by Development Region			
Bristol Bay	\$978,504	Not Applicable	
Prince William Sound	286,964	152,465	Not Applicable
Penalties and Interest	<u>1,645</u>	<u>0</u>	
Total Receipts	<u>\$1,266,933</u>	<u>\$152,465</u>	
Tax	\$20,487	\$44,676	\$2,442,828
Penalties and Interest	<u>424</u>	<u>4,119</u>	<u>12,430</u>
Total Receipts	<u>\$20,911</u>	<u>\$48,795</u>	<u>\$2,455,258</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	Returns	Revenue	Cost ¹	FTE ²	Revenue	Cost
Oil and Gas Production ³	38	\$2,288,986,515	\$3,235,207	35.7	\$64,117,209	90,622
Oil and Gas Corporate Income ⁴	63	876,111,422	434,894	5.3	128,543,181	82,687
Oil and Gas Property ⁵	735	65,692,167	515,810	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	54,204
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	72,675,033	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	11,511,954	105,116	1.3	6,648,358	82,554
Vehicle Rental	431	8,018,609	42,644	0.5	See note 9	See note 9
Regulatory Cost Charges	545	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	1,035,318	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	1,266,330	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	20,961	4,156	0.0	See note 9	See note 9
Unclaimed Property	N/A	N/A	482,941	5.9	N/A	83,343
Total All Programs	29,897	\$2,945,865,901	\$10,561,154	119.9	\$29,800,672¹⁰	\$88,890¹¹

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 \$40,640. Revenue and cost statistics are not complete for 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 \$18,018,504.

⁹ Combined program revenues (\$35,391,617) and costs (\$207,894) required 2.9 FTE. Combined revenue and cost per FTE are \$14,230,162 and \$83,957 respectively.

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

Figure 6
Revenue Collected from Enforcement Activity

Program	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	57,178	246	57,422
Seafood Marketing	0	52,730	52,730
Oil and Gas Property	50,640	0	50,640
Other Tax Types*	<u>0</u>	<u>115,154</u>	<u>115,154</u>
Total	<u>\$110,191,110</u>	<u>\$2,402,977</u>	<u>\$112,594,087</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.

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.

Liquor	Per Gallon
1937	\$.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

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.

Year	Rate	Year	Rate
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		
		2002	\$.35

FY 2007 Statistics

Program	Quantity	Value
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 Vessel Passenger 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.

[REDACTED]	
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%.

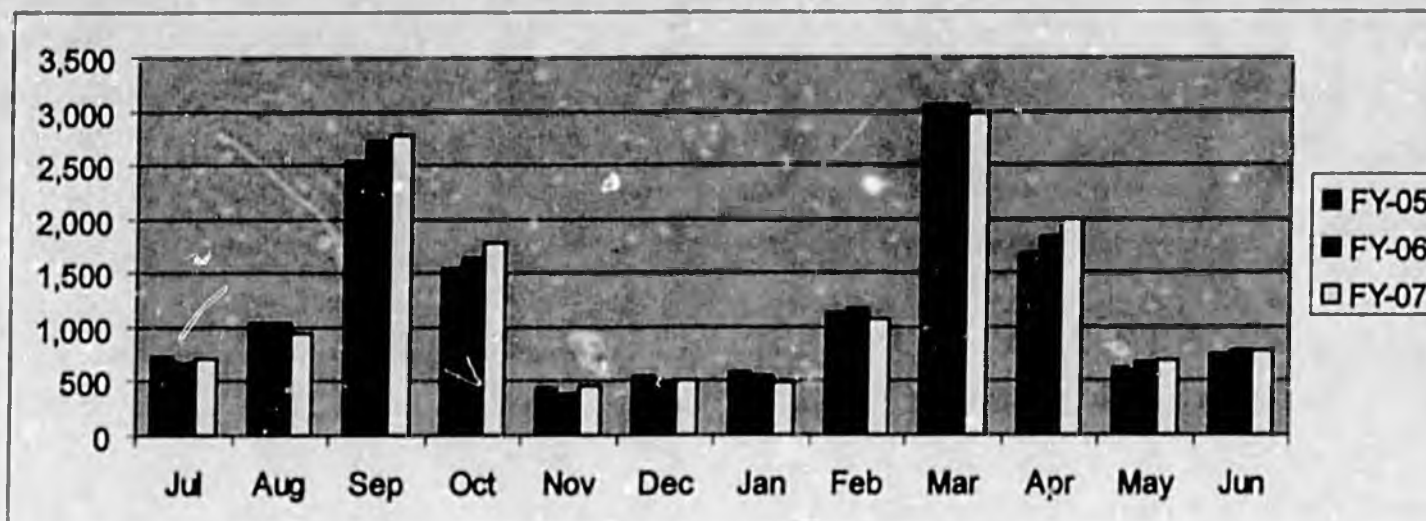
1987 - The legislature enacts the Alaska Education Credit.

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.

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	<u>14,115</u>	<u>855</u>	<u>152</u>	<u>15,122</u>
Oil & Gas	21	42	0	63
Grand Total	<u>14,136</u>	<u>897</u>	<u>152</u>	<u>15,185</u>

*Net operating loss carryback

¹All Subchapter C

**Figure 8
Corporation Tax Liabilities Statistics – Original Returns**

Tax Liability Reported	C Corporation			S Corporation			Partnership		
	# 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	605,084	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>\$620,421,226</u>	<u>100.00%</u>	<u>14,115</u>	<u>\$65,154,462</u>	<u>00.00%</u>	<u>14,136</u>	<u>\$705,576,687</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 revenues 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.

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

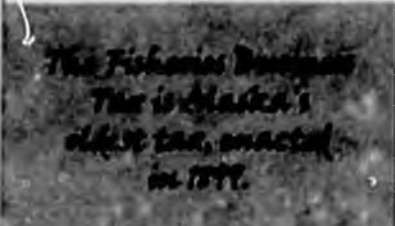
Education - Taxpayers that contribute to accredited Alaska universities or colleges for educational purposes may claim a tax credit for 50 percent of the first \$100,000 and 100 percent of the next \$100,000 of contributions. The maximum credit is \$150,000 for each tax year.

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 - 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:



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.

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 expires 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.*

Fisheries Business TaxLicense 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" Brindley 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.

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.

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.

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.

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.

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.

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.

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

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

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

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.

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.



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 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.

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.

1974 – 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 *Botelho 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.

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.

2005 – The legislature authorized the Department of Revenue to

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 gaining 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.

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.

\$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 \$78 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
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.

1945	1¢
1947	2¢
1955	5¢
1960	7¢
1961	8¢
1964	7¢
1970	8¢

Gasohol	Rate Per Gallon
1997	8¢ / 2¢ <i>(2¢ November through February where required)</i>

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 #5 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.

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

**Oil and Gas Conservation Surcharge
AS 43.55**

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

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.

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.

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

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 legislation
passed in
November 2007
Special Session

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.

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.

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.

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 (CBPF).

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

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.

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.

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.

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.

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.





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.

Property Taxes Billed		\$312,801,256
Constitutional Budget Reserve Fund		50,640
Less Municipal Tax Credit		<u>(247,159,729)</u>
Net Tax Due to State		<u>\$ 65,692,167</u>
Number of Returns		735
Number of Taxpayers		116
Program Cost		\$515,610
Staffing (full time equivalent)		2.0

**Regulatory Cost Charges
Utilities AS 42.05.254(e)
Pipeline AS 42.06.286(c)**

Description

Alaska levies regulatory cost charges (RCC) on regulated utilities. The charges fund the Regulatory Commission of Alaska (RCA) that regulates utilities and pipeline carriers in Alaska. Regulated utilities collect charges from consumers, and remit the collections to the Tax Division.

Rate

Electric Utilities - 5.00% (AS 42.05.254(e))	
Telephone Utilities	
	Rate
Local Exchange	1.730%
Inter Exchange	1.269%
Pipeline Carriers	0.786%
Natural Gas Utilities	0.449%
Refuse Utilities	0.408%
Water and Wastewater Utilities	0.874%
Cable Utilities	2.038%
District Heat Utilities	0.043%

* Based on a percentage of total revenues

Returns

Quarterly returns and payment of RCCs are due on the 30th day following the calendar quarter. Utilities and carriers are required to file a copy of the return with RCA.

Exemptions

Utilities not regulated by RCA are exempt from the RCC program.

Disposition of Revenue

The division deposits all revenue derived from the RCC program into the General Fund. The legislature may make appropriations from the General Fund to fund RCA based on regulatory cost charges collected.

History

1992 – The Alaska legislature enacted the RCC program to fund RCA's costs of regulating utilities. The RCC legislation provided for a sunset date of December 1994. Rates went into effect through regulations, which became effective November 1992.

1994 – In the fall of 1994, RCA promulgated regulations which established RCC rates for FY 1995 on an annualized basis. The regulations took effect December 1994.

1995 – The legislature reauthorized the RCC program that became effective June 1995. In October 1995, RCA adopted regulations to reestablish quarterly payments.

1999 – The legislature authorized separate RCC rates for each regulated utility and changed the methodology for calculating rates.

FY 2007 Statistics

Total RCC Collections	\$7,885,161
<i>Electric, Telephone, Pipeline Carriers and Other Utilities</i>	
Number of Returns	546
Number of Taxpayers	114
Program Cost	\$5,078
Staffing (full time equivalent)	0.1

**Salmon Enhancement Tax
AS 43.76**

Description

The salmon enhancement tax is an elective tax levied on salmon sold in or exported from established aquaculture regions in Alaska.

Fishermen pay salmon enhancement taxes to licensed buyers at the time of sale, or to the division for salmon sold to unlicensed buyers who are exporting from the region. Buyers remit taxes collected from fishermen to the division.

Rate

Commercial fishermen elected tax rates for the following regional aquaculture associations:

Region	Rate	Effective
Southern Southeast	3%	1981
Northern Southeast	3%	1981
Cook Inlet	2%	1981
Prince William Sound	2%	1985
Kodiak	2%	1988
Chignik	2%	1991

Returns

Buyers file returns and pay tax monthly. The due date is the last day of the month following the month 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.

Exemptions

Salmon harvested under a special harvest area permit (typically, salmon harvested by salmon hatcheries) is exempt from the salmon enhancement tax.

Disposition of Revenue

The division deposits all salmon enhancement tax revenue into the General Fund.

Under AS 43.76.025(c), the legislature may appropriate salmon enhancement tax revenue to provide financing for qualified regional aquaculture associations.

History

The legislature adopted the Salmon Enhancement Act in 1980. The Act authorized a 2 percent or 3 percent tax, upon election by commercial fishermen within established aquaculture regions, on salmon transferred to buyers in Alaska. Commercial fishermen in Southern and Northern Southeast aquaculture regions elected a 3 percent tax and Cook Inlet region elected a 2 percent tax.

1981 – The legislature amended the Act to subject salmon exported from Alaska to the tax.

1985 – Commercial fishermen in the Prince William Sound aquaculture region elected a 2 percent tax.

1988 – Commercial fishermen in the Kodiak aquaculture region elected a 2 percent tax.

1989 – The legislature amended statutes to allow for a 1 percent tax

1991 – Commercial fishermen in the Chignik aquaculture region elected a 2 percent tax.

The salmon enhancement tax is an elective tax levied on salmon sold in or exported from established aquaculture regions.

2004 – The legislature authorized additional salmon enhancement tax rates, subject to permit holder elections held by qualified regional associations. In addition to the current 1 percent, 2 percent or 3 percent options, 10 additional options were made available,

ranging from 4 percent to 30 percent. This legislation clarified who must pay the Salmon Enhancement Tax. When a buyer does not withhold the tax, fishermen must pay the tax with an annual return. The legislation took effect January 1, 2005.

FY 2007 Statistics

Tax Collections	\$4,356,969
<i>Including interest and penalties</i>	
Number of Returns	830
Number of Taxpayers	197
Program Cost	\$82,999
Staffing (full time equivalent)	1.0

**Salmon Marketing Tax
AS 43.76**

The salmon marketing tax was repealed effective January 1, 2005. Information is provided below because the division collected residual salmon marketing taxes in FY 2007.

Description

Alaska levied a salmon marketing tax on all salmon sold in or exported from Alaska. Commercial fishermen paid salmon marketing taxes to buyers based on value of the salmon at the time of sale or fair market value when there was no arms length transaction. Taxpayers paid tax directly to the Tax Division for salmon exported from the state. Buyers remitted taxes collected from fishermen to the division.

Rate

The salmon marketing tax rate was 1 percent of the value of salmon.

Returns

Taxpayers filed returns and paid taxes monthly. The due date was the last day of the month following the month of purchase or export.

Exemptions

Salmon harvested under a special harvest area permit (typically,

salmon harvested by salmon hatcheries) were exempt from the salmon marketing tax.

Disposition of Revenue

The division deposits the salmon marketing tax into the General Fund

AS 43.76.120(d), the legislature may appropriate salmon marketing tax revenue to the Alaska Seafood Marketing Institute (ASMI) for the purpose of supporting its salmon marketing program.

History

1993 - The legislature enacted a 1 percent salmon marketing tax to fund salmon marketing administered by ASMI, with a sunset date of June 30, 1998.

1998 - The legislature extended the sunset date to June 30, 2003.

2002 - The legislature extended the sunset date to June 30, 2008.

2004 - Legislation prescribed an election to determine the rates and retention of marketing assessments. The election was held in the Fall of 2004 resulting in an increase to the Seafood Marketing Assessment rate to 0.5 percent and eliminating the Salmon Marketing Tax effective January 1, 2005.

The salmon marketing tax was repealed effective January 1, 2005.

FY 2007 Statistics

Tax Collections	\$20,981
<i>Including interest and penalties</i>	
Number of Returns	1
Number of Taxpayers	1
Program Cost	\$4,156
Staffing (full time equivalent)	0.1

**Seafood Development Tax
AS 43.76.350**

Alaska file returns and pay taxes annually. The due date is March 31 following the year of sale or export.

Description

The seafood development tax is an elective tax levied on certain fishery resources using specific gear types sold in or exported from designated seafood development regions. Fishermen pay seafood development taxes to licensed buyers at the time of sale or to the division for resources sold to unlicensed buyers or exported from Alaska. Buyers remit taxes collected from fishermen to the division.

Exemptions

Resources harvested under special harvest area permit (typically, salmon harvested on behalf of salmon hatcheries) is exempt from the seafood development tax.

Disposition of Revenue

The Division deposits all seafood development tax revenue into the General Fund. Under AS 43.76.380(d), the legislature may appropriate seafood development tax revenue to provide financing for qualified regional seafood development associations.

Rate

Commercial fishermen harvesting salmon by drift gillnet elected tax rates for the following development regions:

Region	Rate	Effective
Prince William Sound	1%	2005
Bristol Bay	1%	2006

History

2004 – The legislature adopted the Seafood Development Tax Act. The Act authorized a tax of between ½ and 2 percent, upon election by commercial fishermen harvesting within designated regions, on fishery resources transferred to buyers in or exported from Alaska.

2005 – Commercial salmon drift gillnet fishermen in the Prince William Sound seafood development region elected a 1% tax.

2006 - Commercial salmon drift gillnet fishermen in the Bristol Bay seafood development region elected a 1% tax.

Returns

Buyers file returns and pay tax monthly. The due date is the last day of the month following the month 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 bonus payment. Fishermen selling to unlicensed buyers or exporting from

The seafood development tax is an elective tax levied on certain fishery resources using specific gear types.

FY 2007 Statistics

Tax Collections	\$1,266,333
<i>Including interest and penalties</i>	
Number of Returns	198
Number of Taxpayers	58
Program Cost	\$4,156
Staffing (full time equivalent)	0.1

**Seafood Marketing Assessment
AS 16.51.120**

Description

Alaska levies a seafood marketing assessment on seafood processed or first landed in Alaska. The state also levies the assessment on unprocessed fisheries products exported from Alaska. The Tax division collects the assessment from fisheries processors and fishermen who export fish out of Alaska.

Rate

The seafood marketing assessment is 0.5 percent of the value of seafood products exported from, processed or first landed in Alaska.

Returns

Taxpayers file calendar year returns with payment by April 1 of the following year. Taxpayers file monthly returns for postseason (bonus) payments made to fishermen after the filing of the calendar year return. Returns for these payments are due with additional assessments by the last day of the month following the bonus payments.

Exemptions

Processors and fishermen who produce less than \$50,000 of seafood products during a calendar year are exempt from the assessment.

Disposition of Revenue

The division deposits all seafood marketing assessments into the General Fund. The legislature may appropriate funds to the Alaska Seafood Marketing Institute.

History

1981 - The legislature enacted an elective seafood marketing assessment of 0.1 percent, 0.2 percent or 0.3 percent (elected by large processors in Alaska). In 1981, processors elected a 0.3 percent assessment to take effect in calendar year 1982.

1996 - The legislature amended seafood marketing assessment statutes to include fishery resources landed in Alaska. The legislation was retroactive to January 1994. Prior to FY 96 revenue collected from the 0.3 percent portion of the original 3.3 percent landing tax rate was accounted for in a separate account designated as (landing tax) seafood marketing assessments.

2004 - The legislation directed ASMI to hold elections and determine whether to retain the assessment and a second election to determine whether to increase the assessment from 0.3 percent to 0.5 percent. Elections were held as prescribed by law. The vote retained the Seafood Marketing assessment, increased the Seafood Marketing rate to 0.5 percent and eliminated the Salmon Marketing Tax effective January 1, 2005.

The seafood marketing assessment is levied on seafood products first landed in Alaska. Assessments from the Alaska Seafood Marketing Institute.

FY 2007 Statistics

Assessment Collections	\$7,680,949
Number of Returns	301
Number of Taxpayers	279
Program Cost	\$0
Staffing (full time equivalent)	0

**Telephone Cooperative Tax
AS 10.25.550**

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

Description

Alaska levies a telephone cooperative tax on gross revenue of qualified telephone cooperatives under AS 10.25. The Tax Division collects taxes from cooperatives.

Disposition of Revenue

The division deposits revenue from the telephone cooperative tax into the General Fund.

Rate

The telephone cooperative tax rate is based on revenue and the length of time in which the cooperative has furnished telephone service to consumers as follows:

Telephone cooperative taxes sourced from within municipalities are shared 100 percent to respective municipalities less the amount expended by the state for collection of taxes.

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

Length of Time	Percent of Revenue
Less than 5 years	1%
5 years or longer	2%

History

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

Returns

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

1960 – The legislature changed the due date for filing returns to March 1.

Exemptions

All qualified telephone cooperatives are subject to the cooperative tax.

FY 2007 Statistics

Tax Collections	\$2,062,277
Number of Returns	7
Number of Taxpayers	7
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 these costs and unshared tax collected outside an organized borough or incorporated city.

Tire Fee
AS 43.98.025

Description

Alaska imposes a tire fee on all new tires sold in Alaska. An additional tire fee is imposed on the sale of tires with metal studs weighing more than 1.1 grams each (heavy studs). The additional tire fee also applies to the installation of heavy studs in new or used tires. The division collects tire fees primarily from tire dealerships.

Rate

A \$2.50 tire fee applies to each new tire. An additional \$5 fee applies to each studded tire (\$7.50 total tire fee for new studded tires).

Returns

Taxpayers are required to file returns and remit fees quarterly. Returns and payment are due 30 days following the calendar quarter in which the new tires were sold or studs were installed.

Taxpayers may retain 5 percent of the amount collected, limited to a maximum of \$900 per quarter, to cover expenses associated with collecting and remitting fees.

Exemptions

The following tires and services are exempt if the purchaser provides the tire seller with a certificate of use:

- Tires and services sold to federal, state or local government agencies for official use.
- Tires for resale.

The \$2.50 tire fee does not apply to used tires and certain replacements of defective tires.

Disposition of Revenue

The division deposits all revenue from the tire fee into the General Fund.

History

2003 - The legislature enacted the tire fee, effective 9/26/2003.

Alaska imposes a tire fee on all new tires sold in Alaska.

FY 2007 Statistics

Fee collections on new tires	\$1,075,505
Fee collections on studded tires and stud installations	409,979
Penalties & Interest	<u>26,433</u>
Total Fee Collections	<u>\$1,511,917</u>
Number of Returns	364
Number of Taxpayers	98
Program Cost	\$41,802
Staffing (full-time equivalent)	0.5



New Tires*

New tires sold	492,631
Less tax exempt tires	<u>(56,601)</u>
Taxable New Tires Sold	<u>436,030</u>

Studded Tires*

Studded tires sold	81,658
Stud installations performed	7,246
Less tax exempt studded tires and stud installations	<u>(6,012)</u>
Taxable studded tires sold and stud installations performed	<u>82,892</u>

** Amounts represent tires sold in FY 2007 (as recorded on tax returns), whereas fee collections reflect money received within FY 2007 and may include payments or refunds from a previous tax period.*

**Tobacco Tax
AS 43.50**

Description

Alaska levies a tax on cigarettes and other tobacco products. The cigarette tax is levied on cigarettes imported into the state for sale or personal consumption. The tobacco products tax is levied on other tobacco products (other than cigarettes) imported into the state for sale. The division collects tobacco taxes primarily from licensed wholesalers, distributors and retailers.

Rates

Cigarettes – See rates table below. The cigarette tax must be paid through purchase of cigarette tax stamps. A stamp must be affixed to the bottom of every pack of cigarettes imported into the state for sale or personal consumption.

Nonparticipating Manufacturer Equity Tax – An additional tax of 12.5 mills (25 cents per pack of 20 cigarettes) is levied on each cigarette imported or acquired from a manufacturer that did not sign the tobacco Master Settlement Agreement. All revenue collected from this tax is deposited in the General Fund.

Other Tobacco Products – The tax rate on Other Tobacco Products, which includes tobacco products

other than cigarettes such as cigars and chewing tobacco, is 75 percent of the wholesale price. The wholesale price is the established price at which a manufacturer sells tobacco products to a distributor. The division may adjust the wholesale price upon which tax was calculated if the wholesale price was not established in an arms-length transaction.

Legislation passed during a special legislative session in June 2004 increased the cigarette tax rate to 90 mills (9 cents) per cigarette on July 1, 2006 and 100 mills (10 cents) per cigarette on July 1, 2007. In addition, as of January 1, 2005, there is an additional tax of \$.25 per pack of 20 cigarettes on cigarette brands that are manufactured by manufacturers that did not sign the tobacco Master Settlement Agreement (NPM cigarettes). There was no increase in the other tobacco products tax rate.

Returns

Taxpayers must pay the cigarette tax by purchasing cigarette tax stamps. The other tobacco products tax is paid at the time a tax return is filed. Tax returns are required to be filed on a monthly basis and are due the last day of the month following the month that cigarette tax stamps were purchased or other tobacco products were imported into the state for sale.

Tobacco tax revenues have increased significantly due to recent rate increases.

Cigarette Tax Rates

	Per cigarette	Per 20
July 1, 2006 - June 30, 2007		
Base Rate (School Fund)	38 mills \$0.038	\$0.76
Additional Tax (General Fund)	52 mills 0.052	1.04
Total	90 mills \$0.09	\$1.80
July 1, 2007		
Base Rate (School Fund)	38 mills \$0.038	\$0.76
Additional Tax (General Fund)	62 mills 0.062	1.24
Total	100 mills \$0.10	\$2.00

Taxpayers that purchase cigarette tax stamps are entitled to a stamp discount of 3 percent on the first \$1,000,000 and 2 percent on the second \$1,000,000 of cigarette tax stamps purchased in a calendar year. The total stamp discount in each calendar year may not exceed \$50,000. Taxpayers who import other tobacco products for sale may deduct 0.4 percent of the other tobacco products tax due to cover expenses of accounting and filing returns. There is no limit on this deduction.

Exemptions

Sales to authorized military personnel by a military exchange, commissary, or ship store; and sales by an Indian reservation business located within an Indian reservation to members of the reservation are not subject to the tax.

Disposition of Revenue

Cigarette Taxes – Revenue from the base rate is deposited in the School Fund. Revenue from the additional tax is initially deposited into the General Fund. Of the amount deposited in the General Fund, 8.9 percent of revenue is deposited into the Tobacco Use Education and Cessation Fund, a subfund of the General Fund.

The division deposits all cigarette and tobacco products license fees into the School Fund, to be used for the rehabilitation, construction, repair and associated insurance costs of state school facilities.

History

The tobacco tax dates to 1949 when the legislature enacted a tax of 3 cents per pack on cigarettes and 2 cents per ounce on tobacco. There were no exemptions provided in the tax legislation.

1951 – The legislature increased the cigarette tax to 5 cents per pack.

1955 – The legislature eliminated the tobacco products tax and, although the cigarette tax rate remained at 5 cents, the legislature converted the rate to a mill rate per cigarette (2.5 mills per cigarette). The legislature enacted a 1 percent deduction provision to cover accounting expenses. The legislature also created the School Fund and directed all proceeds from the cigarette tax be deposited in this fund.

1961 – The legislature increased the cigarette tax to 4 mills per cigarette (8 cents per pack). The legislature dedicated revenue from the additional 3 cents to the General Fund.

1977 – The legislature exempted military sales from the cigarette tax.

1983 – The Department of Revenue adopted regulations exempting sales of cigarettes by Indian Reservation businesses to members of the reservation.

1985 – The legislature increased the cigarette tax to 8 mills per cigarette (16 cents per pack).

1988 – The legislature enacted the tobacco products tax imposing a tax of 25 percent of the product wholesale price. The legislature authorized taxpayers to deduct 1 percent of the tax to cover accounting expenses.

1989 – The legislature increased the cigarette tax rate to 14.5 mills (29 cents per pack of 20).

1997 – Effective October 1, 1997, the legislature increased the cigarette tax rate to 50 mills or \$1