

Register _____, _____ 2014

Revenue

15 AAC 75.300(6) is repealed.

(6) Repealed __/__/____. (Eff. 9/9/1981, Register 79; am 9/18/1981, Register 80; am __/__/__, Register ____)

Authority: AS 43.05.080 AS 43.75.015 [AS 43.75.140(7)]

AS 43.75.290

15 AAC 77.015 is repealed:

15 AAC 77.015. Automatic extension of time to file return. Repealed. (Eff. 4/20/1994, Register 130; am 11/9/2006, Register 180; repealed __/__/____, Register ____)

Authority: AS 43.77.020 AS 43.77.070

15 AAC 77.020 is amended to read:

15 AAC 77.020. Request for extension of time to file return. (a) Upon a showing of good cause beyond the control of the requester, the department will, in its discretion, grant reasonable extensions of time for the filing of the return from the due date[, OR THE AUTOMATIC EXTENSION OF TIME TO FILE DUE DATE]. The extensions[, EXCLUDING AUTOMATIC EXTENSIONS,] must not exceed 90 days in total.

(b) A request for an extension of time to file the return must be in writing, contain a full statement of the reasons supporting the request, and be received by the department no earlier than March 1 after the close of the tax year and no later than 10 calendar days before the date the return is due, including extensions. A person that requests a response by facsimile transmission must provide a facsimile telephone number.

(c) If an extension of time for filing the return is granted, the return must be filed before the expiration of the period of the extension. A return filed after the period of the extension voids all extensions under this section.

(d) If an extension of time for filing the return is denied, the return must be filed by the later of:

(1) 10 calendar days after the date the notice of denial is sent by facsimile transmission or mailed by the department, **or**

(2) the March 31 due date[, OR

(3) THE AUTOMATIC EXTENSION DUE DATE]. (Eff. 4/20/94, Register 130; am ___/___/___, Register ___)

Authority: AS 43.77.020 AS 43.77.070

15 AAC 77.025(a) is repealed:

(a) Repealed ___/___/____. (Eff. 4/20/1994, Register 130; am 11/9/2006, Register 180; am ___/___/___, Register ___)

Authority: AS 43.77.020 AS 43.77.070

15 AAC 77.025(b) is amended to read:

(b) A person who fails to make estimated tax payments in equal installments that total at least 90 percent of the person’s tax liability for the year, shall pay a penalty computed for each quarter for which a sufficient estimated tax was not paid. The estimated tax penalty is determined by applying the interest rate specified in AS 43.05.225 to the underpayment in each quarter, and

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runs from the installment payment due date through the payment date or **the return due date**

under AS 43.77.020(a) [MARCH 31 OF THE FOLLOWING YEAR], whichever is earlier. (Eff.

4/20/1994, Register 130; am 11/9/2006, Register 180; am __/__/____, Register ____)

Authority: AS 43.77.020 AS 43.77.070

15 AAC 77.025(f) is repealed:

(f) Repealed __/__/____. (Eff. 4/20/1994, Register 130; am 11/9/2006, Register 180; am __/__/____, Register ____)

Authority: AS 43.77.020 AS 43.77.070

15 AAC 77.025(g) is repealed:

(g) Repealed __/__/____. (Eff. 4/20/1994, Register 130; am 11/9/2006, Register 180; am __/__/____, Register ____)

Authority: AS 43.77.020 AS 43.77.070

15 AAC 77.090 is repealed:

15 AAC 77.090. Penalties: reasonable cause. Repealed __/__/____. (Eff. 11/09/06, Register 180; repealed __/__/____, Register ____)

Authority: AS 43.05.220 AS 43.77.020 AS 43.77.070

15 AAC 116.415 is amended to read:

15 AAC 116.415. Common property fishery assessment rate. (a) A person subject to the common property fishery assessment under AS 16.10.455 shall pay an assessment at a rate determined by the department annually under (e) of this section, on the **projected** value of the salmon taken in a terminal harvest area that is subject to a common property fishery assessment.

(b) The common property fishery assessment rate **shall be determined annually by the department using one of the following methods:**

(1) as [IS] a fraction,

(A) [(1)] the numerator of which is the projected assessment revenue for the current year; and

(B) [(2)] the denominator of which is the total pounds of salmon projected to return to the terminal harvest area in the current year that will be subject to the common property fishery assessment; **or**

(2) as a flat rate on each pound of salmon, determined by multiplying the fraction calculated under section (1) by the projected value of salmon for the current year that will be subject to the common property fishery assessment.

(c) To calculate the projected assessment revenue for purposes of (b)(1)(A) of this section, the department, in consultation under (d) of this section with the hatchery permit holder, will

(1) calculate the total estimated amount of the hatchery permit holder's

(A) annual debt service to the state;

(B) reasonable operating expenses for the year;

(C) reasonable maintenance for the year; and

(D) additional revenue needed to develop or maintain a reserve fund up to 100 percent of the hatchery permit holder's annual operating costs; and

(2) subtract, from the total estimated amount, the estimated amount of income from all sources that the hatchery holder expects to expend to satisfy the estimates under (1)(A) - (D) of this subsection, other than money estimated to be appropriated under AS 16.10.455 (e) to the hatchery permit holder.

(d) The department will consult with the Department of Commerce, Community, and Economic Development for assistance in identifying current-year market conditions and salmon market trends. The department will consult with the hatchery permit holder to ensure the projected assessment revenue includes all cost components identified under AS 16.10.455 (d). The department will consult with representatives of affected commercial fishermen for assistance in determining the projected regional price per pound of salmon subject to the common property fishery assessment.

(e) The common property fishery assessment rate for Hidden Falls Hatchery is

(1) 20 percent for calendar year 2012; and

(2) 20 percent for calendar year 2013. (Eff. 6/24/2012, Register 202; am 5/23/2012,

Register 206; am 6/14/2014, Register 210; am __/__/____, Register ____)

Authority: AS 16.10.455

15 AAC 116.430 is amended to read:

15 AAC 116.430. Reporting of bonus or other additional payments. (a) A buyer making a bonus or other additional payment to a person after October 31 for salmon purchased in

the previous reporting period shall [COLLECT THE ASSESSMENT ON AND] file a report of the bonus or additional payment made. The buyer shall file a report on a form or in a format prescribed by the department, reporting

(1) the year in which the salmon were initially reported; and

(2) the additional value paid for the salmon acquired in a previous year.

(b) No later than the last day of the month following the month in which a bonus or additional payment was made, the report required under this section shall be filed[, TOGETHER WITH EACH ASSESSMENT REQUIRED TO BE COLLECTED]. (Eff. 6/24/2012, Register 202; am 5/23/2012, Register 206; am 6/14/2014, Register 210; am __/__/____, Register ____)

Authority: AS 16.10.455