

DRAFT CSC, Title 29. Tax and Revenue**CHAPTER 5
Environmental Improvement Tax**

§ 1201. Tax.

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§ 1201. Tax.

A tax of \$.05 per can is hereby imposed on all metal cans containing carbonated beverages and ~~12~~ twelve ounce metal cans containing non-carbonated beverages except milk, chocolate, and fruit juices. Items taxed under this Section shall be exempt from the sales tax imposed by Chapter 1, Title 29 of the ~~Truk District~~ Chuuk State Code.

Source: TSL 1-1-7, § 1 (Section 1), modified.

Editor's note: TSL 1-1-7 that created this Chapter was signed into law by the Governor on April 13, 1979.

§ 1202. Payment of tax.

The tax imposed under this Chapter shall attach at the time of first sale in ~~Truk Chuuk~~ Chuuk. All taxes which have attached during a calendar month shall be paid by the seller to the ~~Treasurer~~ Director of the Treasury on or before the 15th day of the succeeding month. The ~~Treasurer~~ Director of the Treasury may make allowance for late payments for good cause.

Source: TSL 1-1-7, § 1 (Section 2), modified.

§ 1203. Records.

All persons who sell beverages in metal cans shall keep accurate records of all sales and all taxes collected which are included in this Chapter. These records shall be made available to the ~~Tax Collector or Treasurer~~ Director of the Treasury upon request.

Source: TSL 1-1-7, § 1 (Section 3), modified.

§ 1204. Responsible agency.

The Chuuk Visitor's Bureau shall be responsible for:

- (1) operating a convenient refund program for the return of metal beverage cans taxed under Section 1201 of this Chapter by consumers, provided that the amount shall not be less than \$.02 per can;
- (2) conducting necessary business for the purpose of collection of cans;
- (3) processing and disposal of cans collected;
- (4) coordinating collection and disposal of abandoned and junk motor vehicles and machinery;
- (5) performing all other duties incidental to the above.

Source: TSL 1-1-7, § 1 (Section 4), as amended by CSL 191-23, § 2 (Section 4).

§ 1205. Disposition of revenue.

The State Director of Treasury shall earmark 80 % percent of the taxes collected pursuant to this Chapter for the operation of the refund program by the Chuuk Visitor's Bureau, which shall provide an organization of this program, and an annual report on the use of the fund. The Chuuk Visitor's Bureau shall allocate 70 % percent of its share of the taxes collected for payment to consumers for return of cans under the refund program established by this Act Chapter.

Source: TSL 1-1-7, § 1 (Section 5), as amended by CSL 191-23, § 4 (Section 5), modified.

§ 1206. Penalty.

All taxes which are not paid in accordance with Section 1202 of this Act Chapter shall be delinquent and subject to a penalty of 20 % percent per month on unpaid taxes. Any payment made on unpaid taxes shall be first applied to the penalty. The determination of delinquency shall be made by the Director of Treasury. Upon notice of a request of hearing by a taxpayer within 90 ~~ninety~~ days after a determination of delinquency, the Director of Treasury shall conduct a hearing, at which time the taxpayer shall present such evidence showing that the delinquency determination is in error or that mitigating circumstances exist. In either case, the Director of Treasury shall determine the amount of taxes due, and may determine that no penalty need be paid upon a showing of good cause.

Source: TSL 1-1-7, § 1 (Section 7), as amended by CSL 191-23, § 5 (Section 6), modified.