



# LAWS OF ALASKA

**2012**

**Source**  
CCS HB 104

**Chapter No.**  
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## **AN ACT**

Renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; relating to AlaskAdvantage education grant eligibility; establishing accounts and a fund for those purposes; making conforming amendments; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1



## AN ACT

1 Renaming the Alaska performance scholarship and relating to the scholarship and tax credits  
2 applicable to contributions to the scholarship; relating to AlaskAdvantage education grant  
3 funding and to Alaska performance scholarship funding; relating to AlaskAdvantage  
4 education grant eligibility; establishing accounts and a fund for those purposes; making  
5 conforming amendments; and providing for an effective date.

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7 \* **Section 1.** AS 14.03.113 is amended to read:

8       **Sec. 14.03.113. District determination of scholarship eligibility.** A school  
9 district shall determine whether a student who graduates from a high school in the  
10 district is eligible for an award of an Alaska performance [MERIT SCHOLARSHIP  
11 PROGRAM] scholarship under AS 14.43.810 - 14.43.849. If a student is eligible, the  
12 district shall state in the student's permanent record the highest level of funding for

1 which the student is eligible. A district shall provide a student with an opportunity to  
2 request that the district correct an error in the eligibility determination.

3 \* **Sec. 2.** AS 14.43.415(a) is amended to read:

4 (a) For an applicant to be eligible for a grant under AS 14.43.400 - 14.43.420,  
5 the applicant must be

6 (1) a resident of this state;

7 (2) enrolled or about to be enrolled

8 (A) at an institution located in the state that is

9 (i) accredited by an institutional accrediting body  
10 recognized by the United States Secretary of Education; or

11 (ii) approved to participate in the Alaska  
12 performance scholarship program as a qualified postsecondary  
13 institution under AS 14.43.830 [APPROVED TO PARTICIPATE IN  
14 FEDERAL FINANCIAL AID PROGRAMS UNDER 20 U.S.C. 1070 -  
15 1099c-2, AS AMENDED, LOCATED IN THIS STATE]; and

16 (B) on at least a half-time basis; and

17 (3) able to demonstrate financial need in accordance with standards for  
18 determining financial need established by the commission [UNDER 20 U.S.C. 1070c-  
19 2, AS AMENDED].

20 \* **Sec. 3.** AS 14.43.810 is amended to read:

21 **Sec. 14.43.810. Alaska performance [MERIT] scholarship program**  
22 **established; regulations.** (a) The Alaska performance [MERIT] scholarship program  
23 is established to provide scholarships for high school graduates who are Alaska  
24 residents to attend a qualified postsecondary institution in the state.

25 (b) The department shall, in consultation with the commission, adopt  
26 regulations necessary to implement the Alaska performance scholarship program.  
27 The commission shall administer the daily operations of the Alaska performance  
28 scholarship program and financing of the Alaska performance scholarship program,  
29 including the procedures for applying for the scholarships, establishing standards for  
30 and ensuring continuing compliance with programmatic standards, and requiring  
31 students to apply for other nonloan financial aid, consistent with federal law.

1     \* **Sec. 4.** AS 14.43.820(a) is amended to read:

2             (a) Subject to appropriation, the commission shall award an Alaska  
3     **performance** [MERIT SCHOLARSHIP PROGRAM] scholarship to an applicant who

4                     (1) is a resident of the state as defined in AS 01.10.055;

5                     (2) graduated or will graduate within six months from a high school in  
6     the state;

7                     (3) **except as provided in (c) of this section,** has completed a core  
8     academic curriculum **of** [IN] high school **level coursework** that includes

9                             (A) four years of mathematics, four years of language arts, four  
10                            years of science, and four years of social studies, one year of which may  
11                            include a foreign language, an Alaska Native language, fine arts, or cultural  
12                            heritage; or

13                           (B) three years of mathematics, four years of language arts,  
14                            three years of science, four years of social studies, and two years of a foreign  
15                            language or an Alaska Native language;

16                     (4) has a minimum grade-point average in high school of 2.5 or higher;  
17     the department shall set by regulation minimum requirements based on a substantially  
18     similar standard for districts that do not assign grades;

19                     (5) has achieved a minimum score on a

20                             (A) college entrance examination; or

21                             (B) standardized examination designed to measure a student's  
22     level of preparedness to make the transition to work, as selected by the  
23     department; and

24                     (6) is enrolled in good standing in a course of study at a qualified  
25     postsecondary institution in this state that is intended to result in the award of a  
26     certificate or degree.

27     \* **Sec. 5.** AS 14.43.820 is amended by adding new subsections to read:

28             (c) The commissioner shall waive a portion of the core academic requirements  
29     specified under (a)(3) of this section for not more than 24 additional months after a  
30     student graduates from a high school in the state to provide an eligible applicant the  
31     opportunity to complete the academic requirements at a qualified postsecondary

1 institution using a scholarship awarded under AS 14.43.825(a) or at a public high  
2 school in the state with a district sponsorship under (f) of this section if the applicant  
3 submits a timely application on a form approved by the commissioner and provides  
4 satisfactory proof that the applicant was unable to complete the academic requirements  
5 under (a)(3) of this section as a result of circumstances beyond the applicant's control,  
6 including

7 (1) illness or disability;

8 (2) a lack of reasonable access to the required coursework at a small or  
9 remote high school attended by the applicant in the state; and

10 (3) other circumstances prescribed by regulation adopted by the board.

11 (d) The commissioner shall approve or deny an application for a waiver  
12 submitted under (c) of this section within 30 days after receiving the application.

13 (e) An applicant who receives a waiver under (c) of this section, shall, within  
14 the time granted for the waiver, provide satisfactory proof to the commissioner of  
15 completion of the core academic requirements specified under (a)(3) of this section.

16 (f) Notwithstanding a contrary provision in this title, a school district that  
17 agrees to sponsor a student for a waiver under (c) of this section may include a student  
18 who has been approved for a waiver under (c) of this section in the student count  
19 conducted under AS 14.17.600 as a full-time or part-time student if the student attends  
20 a school in the district for the purpose of completing the core academic requirements  
21 under (a)(3) of this section.

22 (g) In this section, "district" has the meaning given in AS 14.17.990.

23 \* **Sec. 6.** AS 14.43.825(a) is amended to read:

24 (a) The maximum annual awards for the Alaska **performance** [MERIT  
25 SCHOLARSHIP PROGRAM] scholarships are as follows:

26 (1) the first award level is \$4,755 and requires a

27 **(A)** 3.5 grade-point average or above; and

28 **(B)** [A] very high minimum score on a college entrance  
29 examination;

30 (2) the second award level is \$3,566 and requires a

31 **(A)** 3.0 grade-point average or above; and

1                    **(B)** [A] high minimum score on a college entrance  
2 examination;

3                    (3) the third award level is \$2,378 and requires a

4                    **(A)** 2.5 grade-point average or above; and

5                    **(B)** [A] moderately high minimum score on a college entrance  
6 examination.

7        \* **Sec. 7.** AS 14.43.825(b) is amended to read:

8                    (b) A student's eligibility for a scholarship terminates six years after the date  
9 the student **graduates** [GRADUATED] from high school unless the student qualifies  
10 for an extension of time allowed by the department by regulation.

11        \* **Sec. 8.** AS 14.43.825(f) is repealed and reenacted to read:

12                    (f) Payment of a scholarship is subject to appropriation and the availability of  
13 funds for expenditure under AS 37.14.750. If insufficient funds are appropriated or  
14 available in a fiscal year to pay all eligible scholarships, the commission may not  
15 award a scholarship to a new applicant, and the commission shall pay existing awards  
16 on a pro rata basis for that fiscal year.

17        \* **Sec. 9.** AS 14.43.830 is amended to read:

18                    **Sec. 14.43.830. Qualified postsecondary institutions.** (a) The following  
19 institutions are qualified postsecondary institutions for purposes of awarding an  
20 Alaska **performance** [MERIT SCHOLARSHIP PROGRAM] scholarship:

21                    (1) a university or college physically located in the state that [IS]

22                                (A) **is** authorized to operate in the state under AS 14.48.020 or  
23 is exempt from authorization under AS 14.48.030(b)(1); [AND]

24                                (B) **is** accredited by a regional **or national** accreditation  
25 association;

26                                (C) **has an advisory program established for incoming**  
27 **students that provides counseling related to course selection, career**  
28 **choice, and personal challenges; and**

29                                (D) **provides courses and credits that can result in the**  
30 **issuance of a degree or certificate available at the institution within a time**  
31 **frame expected for that degree or certificate;**

1 (2) a career and technical school program physically located in the  
2 state that **meets the standards established in (a)(1)(C) and (D) of this section and**  
3 **that** has been included on a list of certified career and technical school programs  
4 received from the Department of Labor and Workforce Development; the commission  
5 shall publish the list on or before June 30 of the year preceding enrollment.

6 (b) The Department of Labor and Workforce Development shall, in  
7 consultation with the Department of Education and Early Development, adopt  
8 regulations under AS 44.62 (Administrative Procedure Act) establishing criteria under  
9 which the Department of Labor and Workforce Development shall certify career and  
10 technical school programs in the state as eligible to participate in the Alaska  
11 **performance** [MERIT] scholarship program.

12 \* **Sec. 10.** AS 14.43.849(4) is amended to read:

13 (4) "program" means the Alaska **performance** [MERIT] scholarship  
14 program established under AS 14.43.810 - 14.43.849;

15 \* **Sec. 11.** AS 14.43 is amended by adding a new section to read:

16 **Sec. 14.43.915. AlaskAdvantage education grant account and Alaska**  
17 **performance scholarship award account.** (a) The AlaskAdvantage education grant  
18 account is created as an account in the general fund. Money may be appropriated to  
19 the account from the Alaska higher education investment fund under AS 37.14.750  
20 and from other sources. The commission may use the money in the account to pay  
21 grants awarded under AS 14.43.400 - 14.43.420.

22 (b) The Alaska performance scholarship award account is created as an  
23 account in the general fund. Money may be appropriated to the account from the  
24 Alaska higher education investment fund under AS 37.14.750 and from other sources.  
25 The commission may use the money in the account to pay scholarships awarded to  
26 students under AS 14.43.810 - 14.43.849.

27 (c) Of the total amount available annually to the commission for payment of  
28 grants under AS 14.43.400 - 14.43.420 and for payment of scholarships under  
29 AS 14.43.810 - 14.43.849, one-third of the combined amount in the accounts  
30 established under (a) and (b) of this section shall be available solely for payment of  
31 grants awarded under AS 14.43.400 - 14.43.420. The commission shall annually



1 allocate to all qualified applicants for scholarships awarded under AS 14.43.810 -  
2 14.43.849 two-thirds of the combined amount in the accounts. If an insufficient  
3 number of qualified applicants are awarded grants under AS 14.43.400 - 14.43.420 or  
4 scholarships under AS 14.43.810 - 14.43.849, or both, before the end of that fiscal  
5 year, the commissioner shall redeposit the remaining funds into the Alaska higher  
6 education investment fund established under AS 37.14.750.

7 (d) The commission shall reserve a percentage calculated under this  
8 subsection of the total amount available for awards in the accounts established under  
9 (a) and (b) of this section each year for award to students who graduate from a school  
10 district with an ADM of less than 800 or from a school that was operated by the  
11 Alaska State-Operated School System established under former AS 14.08.020. The  
12 percentage reserved under this subsection shall be calculated by adding the ADMs of  
13 districts with an ADM of less than 800 and the number of students enrolled in a school  
14 that was operated by the Alaska State-Operated School System established under  
15 former AS 14.08.020 that is located in a district with an ADM of 800 or more and then  
16 dividing that number by the sum of the ADMs of all districts in the state.

17 (e) If an insufficient number of applicants apply for the available amount  
18 reserved under (d) of this section, the commission shall redeposit the remaining  
19 amount in the account from which the funds originated.

20 (f) In this section,

21 (1) "ADM" has the meaning given in AS 14.17.990;

22 (2) "district" has the meaning given in AS 14.17.990, but also includes  
23 a state boarding school under AS 14.16.

24 \* **Sec. 12.** AS 14.45.130(a) is amended to read:

25 (a) A religious or other private school that elects to comply with AS 14.45.100  
26 - 14.45.130 shall maintain permanent student records reflecting immunizations,  
27 physical examinations, standardized testing, academic achievement, courses taken at  
28 the school, and level of eligibility for an Alaska **performance** [MERIT  
29 SCHOLARSHIP PROGRAM] scholarship under AS 14.43.810 - 14.43.849.

30 \* **Sec. 13.** AS 37.14 is amended by adding a new section to read:

31 **Article 8A. Alaska Higher Education Investment Fund.**

1                   **Sec. 37.14.750. Alaska higher education investment fund established.** (a)

2           The Alaska higher education investment fund is established in the general fund for the  
3           purpose of making grants awarded under AS 14.43.400 - 14.43.420 by appropriation  
4           to the account established under AS 14.43.915(a) and of making scholarship payments  
5           to qualified postsecondary institutions for students under AS 14.43.810 - 14.43.849 by  
6           appropriation to the account established under AS 14.43.915(b). Money in the fund  
7           does not lapse. The fund consists of

- 8                   (1) money appropriated to the fund;  
9                   (2) income earned on investment of fund assets;  
10                  (3) donations to the fund; and  
11                  (4) money redeposited under AS 14.43.915(c).

12                  (b) The legislature may appropriate any amount to the fund established in (a)  
13                  of this section. Nothing in this section creates a dedicated fund.

14                  (c) As soon as is practicable after July 1 of each year, the commissioner of  
15                  revenue shall determine the market value of the fund established in this section on  
16                  June 30 for the immediately preceding fiscal year. The commissioner shall identify  
17                  seven percent of that amount as available for appropriation as follows:

18                   (1) one-third for the grant account established under AS 14.43.915(a),  
19                   from which the Alaska Commission on Postsecondary Education may award grants;  
20                   and

21                   (2) two-thirds for the scholarship account established under  
22                   AS 14.43.915(b), from which the Alaska Commission on Postsecondary Education  
23                   may award scholarships.

24                  (d) In this section, unless the context requires otherwise, "fund" means the  
25                  Alaska higher education investment fund established in (a) of this section.

26       \* **Sec. 14.** AS 43.20.014(a) is amended to read:

27                  (a) A taxpayer is allowed a credit against the tax due under this chapter for  
28                  cash contributions accepted **for**

29                   (1) [FOR] direct instruction, research, and educational support  
30                   purposes, including library and museum acquisitions, and contributions to endowment,  
31                   by an Alaska university foundation or by a nonprofit, public or private, Alaska two-

1 year or four-year college accredited by a regional accreditation association;

2 (2) [FOR] secondary school level vocational education courses,  
3 programs, and facilities by a school district in the state;

4 (3) [FOR] vocational education courses, programs, and facilities by a  
5 state-operated vocational technical education and training school;

6 (4) [FOR] a facility or an annual intercollegiate sports tournament by a  
7 nonprofit, public or private, Alaska two-year or four-year college accredited by a  
8 regional accreditation association;

9 (5) [FOR] Alaska Native cultural or heritage programs and educational  
10 support, including mentoring and tutoring, provided by a nonprofit agency for public  
11 school staff and for students who are in grades kindergarten through 12 in the state;  
12 [AND]

13 (6) [FOR] education, research, rehabilitation, and facilities by an  
14 institution that is located in the state and that qualifies as a coastal ecosystem learning  
15 center under the Coastal America Partnership established by the federal government;  
16 **and**

17 **(7) the Alaska higher education investment fund under**  
18 **AS 37.14.750.**

19 \* **Sec. 15.** AS 43.20.014(a), as amended by sec. 14, ch. 92, SLA 2010, is amended to read:

20 (a) A taxpayer is allowed a credit against the tax due under this chapter for  
21 cash contributions accepted

22 (1) for direct instruction, research, and educational support purposes,  
23 including library and museum acquisitions, and contributions to endowment, by an  
24 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
25 four-year college accredited by a regional accreditation association;

26 (2) for secondary school level vocational education courses and  
27 programs by a school district in the state; [AND]

28 (3) by a state-operated vocational technical education and training  
29 school; **and**

30 **(4) for the Alaska higher education investment fund under**  
31 **AS 37.14.750.**

1     \* **Sec. 16.** AS 43.55.019(a) is amended to read:

2             (a) A producer of oil or gas is allowed a credit against the tax due under this  
3     chapter for cash contributions accepted **for**

4                 (1) [FOR] direct instruction, research, and educational support  
5     purposes, including library and museum acquisitions, and contributions to endowment,  
6     by an Alaska university foundation or by a nonprofit, public or private, Alaska two-  
7     year or four-year college accredited by a regional accreditation association;

8                 (2) [FOR] secondary school level vocational education courses,  
9     programs, and facilities by a school district in the state;

10                (3) [FOR] vocational education courses, programs, and facilities by a  
11     state-operated vocational technical education and training school;

12                (4) [FOR] a facility or an annual intercollegiate sports tournament by a  
13     nonprofit, public or private, Alaska two-year or four-year college accredited by a  
14     regional accreditation association;

15                (5) [FOR] Alaska Native cultural or heritage programs and educational  
16     support, including mentoring and tutoring, provided by a nonprofit agency for public  
17     school staff and for students who are in grades kindergarten through 12 in the state;  
18     [AND]

19                (6) [FOR] education, research, rehabilitation, and facilities by an  
20     institution that is located in the state and that qualifies as a coastal ecosystem learning  
21     center under the Coastal America Partnership established by the federal government;  
22     **and**

23                         **(7) the Alaska higher education investment fund under**  
24     **AS 37.14.750.**

25     \* **Sec. 17.** AS 43.55.019(a), as amended by sec. 21, ch. 92, SLA 2010, is amended to read:

26             (a) A producer of oil or gas is allowed a credit against the tax due under this  
27     chapter for cash contributions accepted

28                 (1) for direct instruction, research, and educational support purposes,  
29     including library and museum acquisitions, and contributions to endowment, by an  
30     Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
31     four-year college accredited by a regional accreditation association;

1 (2) for secondary school level vocational education courses and  
2 programs by a school district in the state; [AND]

3 (3) by a state-operated vocational technical education and training  
4 school; **and**

5 **(4) for the Alaska higher education investment fund under**  
6 **AS 37.14.750.**

7 \* **Sec. 18.** AS 43.56.018(a) is amended to read:

8 (a) The owner of property taxable under this chapter is allowed a credit  
9 against the tax due under this chapter for cash contributions accepted **for**

10 (1) [FOR] direct instruction, research, and educational support  
11 purposes, including library and museum acquisitions, and contributions to endowment,  
12 by an Alaska university foundation or by a nonprofit, public or private, Alaska two-  
13 year or four-year college accredited by a regional accreditation association;

14 (2) [FOR] secondary school level vocational education courses,  
15 programs, and facilities by a school district in the state;

16 (3) [FOR] vocational education courses, programs, and facilities by a  
17 state-operated vocational technical education and training school;

18 (4) [FOR] a facility or an annual intercollegiate sports tournament by a  
19 nonprofit, public or private, Alaska two-year or four-year college accredited by a  
20 regional accreditation association;

21 (5) [FOR] Alaska Native cultural or heritage programs and educational  
22 support, including mentoring and tutoring, provided by a nonprofit agency for public  
23 school staff and for students who are in grades kindergarten through 12 in the state;  
24 [AND]

25 (6) [FOR] education, research, rehabilitation, and facilities by an  
26 institution that is located in the state and that qualifies as a coastal ecosystem learning  
27 center under the Coastal America Partnership established by the federal government;  
28 **and**

29 **(7) the Alaska higher education investment fund under**  
30 **AS 37.14.750.**

31 \* **Sec. 19.** AS 43.56.018(a), as amended by sec. 28, ch. 92, SLA 2010, is amended to read:

1 (a) The owner of property taxable under this chapter is allowed a credit  
2 against the tax due under this chapter for cash contributions accepted

3 (1) for direct instruction, research, and educational support purposes,  
4 including library and museum acquisitions, and contributions to endowment, by an  
5 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
6 four-year college accredited by a regional accreditation association;

7 (2) for secondary school level vocational education courses and  
8 programs by a school district in the state; [AND]

9 (3) by a state-operated vocational technical education and training  
10 school; and

11 (4) for the Alaska higher education investment fund under  
12 AS 37.14.750.

13 \* **Sec. 20.** AS 43.65.018(a) is amended to read:

14 (a) A person engaged in the business of mining in the state is allowed a credit  
15 against the tax due under this chapter for cash contributions accepted for

16 (1) [FOR] direct instruction, research, and educational support  
17 purposes, including library and museum acquisitions, and contributions to endowment,  
18 by an Alaska university foundation or by a nonprofit, public or private, Alaska two-  
19 year or four-year college accredited by a regional accreditation association;

20 (2) [FOR] secondary school level vocational education courses,  
21 programs, and facilities by a school district in the state;

22 (3) [FOR] vocational education courses, programs, and facilities by a  
23 state-operated vocational technical education and training school;

24 (4) [FOR] a facility or an annual intercollegiate sports tournament by a  
25 nonprofit, public or private, Alaska two-year or four-year college accredited by a  
26 regional accreditation association;

27 (5) [FOR] Alaska Native cultural or heritage programs and educational  
28 support, including mentoring and tutoring, provided by a nonprofit agency for public  
29 school staff and for students who are in grades kindergarten through 12 in the state;  
30 [AND]

31 (6) [FOR] education, research, rehabilitation, and facilities by an

1 institution that is located in the state and that qualifies as a coastal ecosystem learning  
2 center under the Coastal America Partnership established by the federal government;  
3 and

4 (7) the Alaska higher education investment fund under  
5 AS 37.14.750.

6 \* **Sec. 21.** AS 43.65.018(a), as amended by sec. 35, ch. 92, SLA 2010, is amended to read:

7 (a) A person engaged in the business of mining in the state is allowed a credit  
8 against the tax due under this chapter for cash contributions accepted

9 (1) for direct instruction, research, and educational support purposes,  
10 including library and museum acquisitions, and contributions to endowment, by an  
11 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
12 four-year college accredited by a regional accreditation association;

13 (2) for secondary school level vocational education courses and  
14 programs by a school district in the state; [AND]

15 (3) by a state-operated vocational technical education and training  
16 school; and

17 (4) for the Alaska higher education investment fund under  
18 AS 37.14.750.

19 \* **Sec. 22.** AS 43.75.018(a) is amended to read:

20 (a) A person engaged in a fisheries business is allowed a credit against the tax  
21 due under this chapter for cash contributions accepted for

22 (1) [FOR] direct instruction, research, and educational support  
23 purposes, including library and museum acquisitions, and contributions to endowment,  
24 by an Alaska university foundation or by a nonprofit, public or private, Alaska two-  
25 year or four-year college accredited by a regional accreditation association;

26 (2) [FOR] secondary school level vocational education courses,  
27 programs, and facilities by a school district in the state;

28 (3) [FOR] vocational education courses, programs, and facilities by a  
29 state-operated vocational technical education and training school;

30 (4) [FOR] a facility or an annual intercollegiate sports tournament by a  
31 nonprofit, public or private, Alaska two-year or four-year college accredited by a

1 regional accreditation association;

2 (5) [FOR] Alaska Native cultural or heritage programs and educational  
3 support, including mentoring and tutoring, provided by a nonprofit agency for public  
4 school staff and for students who are in grades kindergarten through 12 in the state;  
5 [AND]

6 (6) [FOR] education, research, rehabilitation, and facilities by an  
7 institution that is located in the state and that qualifies as a coastal ecosystem learning  
8 center under the Coastal America Partnership established by the federal government;  
9 **and**

10 **(7) the Alaska higher education investment fund under**  
11 **AS 37.14.750.**

12 \* **Sec. 23.** AS 43.75.018(a), as amended by sec. 42, ch. 92, SLA 2010, is amended to read:

13 (a) A person engaged in a fisheries business is allowed a credit against the tax  
14 due under this chapter for cash contributions accepted

15 (1) for direct instruction, research, and educational support purposes,  
16 including library and museum acquisitions, and contributions to endowment, by an  
17 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
18 four-year college accredited by a regional accreditation association;

19 (2) for secondary school level vocational education courses and  
20 programs by a school district in the state; [AND]

21 (3) by a state-operated vocational technical education and training  
22 school; **and**

23 **(4) for the Alaska higher education investment fund under**  
24 **AS 37.14.750.**

25 \* **Sec. 24.** AS 43.77.045(a) is amended to read:

26 (a) In addition to the credit allowed under AS 43.77.040, a person engaged in  
27 a floating fisheries business is allowed a credit against the tax due under this chapter  
28 for cash contributions accepted **for**

29 (1) [FOR] direct instruction, research, and educational support  
30 purposes, including library and museum acquisitions, and contributions to endowment,  
31 by an Alaska university foundation or by a nonprofit, public or private, Alaska two-



1 year or four-year college accredited by a regional accreditation association;

2 (2) [FOR] secondary school level vocational education courses,  
3 programs, and facilities by a school district in the state;

4 (3) [FOR] vocational education courses, programs, and facilities by a  
5 state-operated vocational technical education and training school;

6 (4) [FOR] a facility or an annual intercollegiate sports tournament by a  
7 nonprofit, public or private, Alaska two-year or four-year college accredited by a  
8 regional accreditation association;

9 (5) [FOR] Alaska Native cultural or heritage programs and educational  
10 support, including mentoring and tutoring, provided by a nonprofit agency for public  
11 school staff and for students who are in grades kindergarten through 12 in the state;  
12 [AND]

13 (6) [FOR] education, research, rehabilitation, and facilities by an  
14 institution that is located in the state and that qualifies as a coastal ecosystem learning  
15 center under the Coastal America Partnership established by the federal government;  
16 and

17 (7) the Alaska higher education investment fund under  
18 AS 37.14.750.

19 \* **Sec. 25.** AS 43.77.045(a), as amended by sec. 49, ch. 92, SLA 2010, is amended to read:

20 (a) In addition to the credit allowed under AS 43.77.040, a person engaged in  
21 a floating fisheries business is allowed a credit against the tax due under this chapter  
22 for cash contributions accepted

23 (1) for direct instruction, research, and educational support purposes,  
24 including library and museum acquisitions, and contributions to endowment, by an  
25 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
26 four-year college accredited by a regional accreditation association;

27 (2) for secondary school level vocational education courses and  
28 programs by a school district in the state; [AND]

29 (3) by a state-operated vocational technical education and training  
30 school; and

31 (4) for the Alaska higher education investment fund under

1           **AS 37.14.750.**

2           \* **Sec. 26.** Section 8, ch. 14, SLA 2010, is repealed.

3           \* **Sec. 27.** The uncodified law of the State of Alaska is amended by adding a new section to  
4 read:

5           TRANSITION: ALASKA HIGHER EDUCATION INVESTMENT FUND. The  
6 Alaska higher education investment fund established in AS 37.14.750, enacted by sec. 13 of  
7 this Act, is the fund identified in sec. 20(f), ch. 5, FSSLA 2011.

8           \* **Sec. 28.** The uncodified law of the State of Alaska is amended by adding a new section to  
9 read:

10          TRANSITION: REGULATIONS. The Department of Education and Early  
11 Development, the Department of Labor and Workforce Development, the Department of  
12 Revenue, and the Alaska Commission on Postsecondary Education may adopt regulations  
13 necessary to implement changes made to their respective authorities by this Act. The  
14 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before July 1,  
15 2012.

16          \* **Sec. 29.** The uncodified law of the State of Alaska is amended by adding a new section to  
17 read:

18          REVISOR'S INSTRUCTION. The revisor of statutes is instructed to change the

19               (1) heading of art. 12 of AS 14.43 from "Alaska Merit Scholarship Program"  
20 to "Alaska Performance Scholarship Program";

21               (2) catch line for AS 14.43.820 from "Alaska merit scholarship program;  
22 eligibility" to "Alaska performance scholarship program; eligibility."

23          \* **Sec. 30.** Sections 2, 4, 5, and 7 of this Act, and AS 14.43.915(d), added by sec. 11 of this  
24 Act, take effect April 1, 2013.

25          \* **Sec. 31.** AS 14.43.830(a)(1)(C) and (D), added by sec. 9 of this Act, and the amendment  
26 to AS 14.43.830(a)(2) made by sec. 9 of this Act take effect July 1, 2013.

27          \* **Sec. 32.** Sections 15, 17, 19, 21, 23, and 25 of this Act take effect January 1, 2021.

28          \* **Sec. 33.** Except as provided in secs. 30 - 32 of this Act, this Act takes effect immediately  
29 under AS 01.10.070(c).