

**AMENDMENT**

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

TO: CSHB 229( ), Draft Version "E"

1 Page 3, following line 16:

2 Insert a new bill section to read:

3 **"\* Sec. 4.** AS 43.20.043(e) is amended to read:

4 (e) A taxpayer entitled to a credit under this section

5 (1) may not convey, assign, or transfer the credit to another taxpayer or  
6 business entity unless the conveyance, assignment, or transfer of the credit is part of  
7 the conveyance, assignment, or transfer of the taxpayer's business;

8 (2) forfeits the credit to which the taxpayer is entitled during the tax  
9 year and any carryover of it under (c) of this section, but does not forfeit the portion of  
10 the credit that accrued in a previous taxable year that may be carried over under (c) of  
11 this section, if the taxpayer

12 (A) disposes of the qualified capital investment;

13 (B) takes the qualified investment out of service; or

14 (C) transfers the qualified investment out of this state;

15 **(3) shall submit to the Department of Natural Resources all data**  
16 **that would be required to be submitted under AS 43.55.025(f)(2) for a credit**  
17 **under AS 43.55.025."**

18  
19 Renumber the following bill sections accordingly.

20  
21 Page 5, line 2:

22 Delete "**sec. 8**"

23 Insert "**sec. 9**"

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

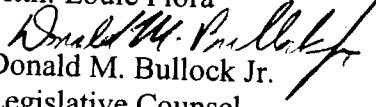
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 24, 2010

**SUBJECT:** Providing data to the Department of Natural Resources  
(Amendment to CSHB 229( ), Draft Version "E"; Work Order  
No. 26-LS0900\E.7)

**TO:** Representative Paul Seaton  
Attn: Louie Flora

**FROM:**   
Donald M. Bullock Jr.  
Legislative Counsel

Enclosed is the amendment you requested that would require a person entitled to the credit in AS 43.20.043 to submit data to the Department of Natural Resources (DNR) under AS 43.55.025(f)(2) that would be required for a credit under AS 43.55.025.

In the amendment, a person *entitled* to the credit would be required to provide the data to DNR. Is your intent to require this of a person who is entitled to the credit, in other words who is making the qualifying investment or expenditure, or would you rather require the data submission only before the person actually applies the credit against a tax liability?

If you would like the information submitted to DNR only before taking the credit, you could add the following language after "(3)" in the amendment: "before applying the credit against a tax liability under this chapter,".

If I may be of further assistance, please advise.

DMB:plm  
10-172.plm

Enclosure