

as well as the defendant will be served thereby, may suspend the imposition or execution or balance of the sentence or a portion thereof, and place the defendant on probation for a period and upon the terms and conditions as the court considers best.

Sec. 9. AS 33.15.180 is amended to read:

Sec. 33.15.180. **Persons Eligible for Parole.** A state prisoner, other than a juvenile delinquent, wherever confined and serving a definite term of over 180 days or a term the minimum of which is at least 181 days, whose record shows that he has observed the rules of the institution in which he is confined, may, in the discretion of the board, be released on parole.

Sec. 10. AS 33.15 is amended by adding a new section to read:

Sec. 33.15.230. **Fixing Eligibility for Parole at Time of Sentencing.** (a) Upon entering a judgment of conviction, the court having jurisdiction to impose sentence, when in its opinion the ends of justice and best interests of the public require that the defendant be sentenced to imprisonment for a term exceeding one year, may

(1) designate in the sentence of imprisonment imposed a minimum term at the expiration of which the prisoner is eligible for parole, which term may be less than, but shall not be more than one-third of the maximum sentence imposed by the court; or

(2) fix the maximum sentence of imprisonment to be served, in which

case the court may specify that the prisoner is eligible for parole at the time the board determines.

(b) Upon commitment of a prisoner sentenced to imprisonment under (a) of this section, the commissioner, under such regulations as the board prescribes, shall have a complete study made of the prisoner and shall furnish to the board a summary report together with any recommendations which, in his opinion, would be helpful in determining the suitability of the prisoner for parole. This report may include, but shall not be limited to, data regarding the prisoner's previous delinquency or criminal experience, circumstances of his social background, his capabilities, his mental and physical health, and such other factors considered pertinent. The board may make such other investigation as it considers necessary.

(c) Parole officers and government bureaus and agencies shall furnish the board information concerning the prisoner, and, whenever not incompatible with the public interest, their views and recommendations with respect to the parole disposition of his case.

(d) The board may adopt rules and regulations for the supervision, discharge from supervision, or recommitment of paroled prisoners.

Sec. 11. AS 12.55.090(d) and (e) are repealed.

Sec. 12. This Act takes effect July 1, 1965.

Approved April 14, 1965

CHAPTER 69

AN ACT

Relating to the Alaska net income tax; and providing for an effective date.

(C.S.H.B. 69)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 43.20.010(a) is repealed and re-enacted to read:

(a) There is levied and there shall be collected and paid for each taxable year upon the net income of every resident and nonresident individual, fiduciary and bank that is required to make

a return and pay a tax under the federal income tax law a tax equal to 16 per cent of the total income tax that would be payable for the same taxable year to the United States at the federal tax rates in effect on December 31, 1963, under the provisions of chapter 1 of subtitle A of the 1954 Internal Revenue Code, Public Law 591, 83rd Congress, 2nd Session, as amended, upon all income derived from sources within the state.

Sec. 2. AS 43.20.010(b) is repealed and re-enacted to read:

(b) There is levied and there shall be collected and paid for each taxable year upon the net income of every resident and nonresident corporation that is required to make a return and pay a tax under the federal income tax law a tax equal to 18 per cent of the total income tax that would be payable for the same taxable year to the United States at the federal tax rates in effect on December 31, 1963, under the provisions of chapter 1 of subtitle A of the 1954 Internal Revenue Code, Public Law 591, 83rd Congress, 2nd Session, as amended, upon all income derived from sources within the state.

Sec. 3. AS 43.20.010(c) is amended by adding new subsections to read:

(5) The benefits allowed to taxpayers under Internal Revenue Code sections 1301 - 1307, as amended are allowed only to taxpayers who have been residents of the state for the full base period

as well as for the computation year as defined in those sections. The commissioner shall prescribe regulations covering benefits under these sections allowable to spouses eligible to file a joint Alaska return for the computation year when one spouse has not been a resident of Alaska for the full base period.

(6) For purposes of calculating the federal tax payable, Internal Revenue Code sections 1561 - 1563, as amended, shall apply to those members of a controlled group of corporations only if two or more members are subject to the tax imposed by this section. The single surtax exemption allowed under Internal Revenue Code sections 1561 - 1563, as amended, shall be apportioned in its entirety only among corporations subject to the tax imposed by this section.

(7) The federal penalty tax imposed by Internal Revenue Code sections 1561 - 1563, as amended, shall apply in calculating the federal tax payable for purposes of this section.

(8) For purposes of calculating the federal tax payable on personal holding companies, the tax shall be as provided by Internal Revenue Code section 541, as amended.

Sec. 4. This Act applies retroactively to January 1, 1964.

Sec. 5. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 14, 1965

CHAPTER 70

AN ACT

Relating to the Civil Air Patrol.

(C.S.H.B. 93)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. **Purpose.** The Civil Air Patrol is an auxiliary of the United States Air Force operating under charter from Congress, and it operates in all states and the District of Columbia and the Commonwealth of Puerto Rico. The Civil Air Patrol has as its purpose the organizing

of public-spirited citizens in civil aviation into a volunteer semi-military organization to assist in civil defense efforts, train teenage cadets in pre-flight instruction, conduct missing-aircraft search service, and assist in search and rescue missions, and special missions for state and federal agencies. It is the purpose of this Act to make formal provision for the administration of the