

SENATE BILL NO. 118

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY SENATORS TORGERSON, Taylor

Introduced: 3/9/95

Referred: STA, FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to credits against certain taxes for contributions to certain public
2 educational radio and television networks and stations; and providing for an
3 effective date."

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

5 * **Section 1.** PURPOSE. This Act extends the credits authorized by ch. 58, SLA 1987, ch.
6 71, SLA 1991, and ch. 21, SLA 1994, against each of the following state taxes for
7 contributions made to instate public educational radio and television networks and stations:

8 (1) Alaska Net Income Tax (AS 43.20);

9 (2) Oil and Gas Properties Production Tax (AS 43.55);

10 (3) Oil and Gas Exploration, Production, and Pipeline Transportation Property
11 Tax (AS 43.56);

12 (4) Mining License Tax (AS 43.65);

13 (5) Fisheries Taxes (AS 43.75).

14 * **Sec. 2.** AS 43.20.014(a) is amended to read:

1 (a) Subject to (d) of this section, a taxpayer is allowed as a credit against
2 the tax due under this chapter the taxpayer's contributions as follows:

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

8 (A) [A TAXPAYER IS ALLOWED AS A CREDIT AGAINST
9 THE TAX DUE UNDER THIS CHAPTER (1)] 50 percent of contributions
10 of not more than \$100,000; and

11 (B) [(2)] 100 percent of the next \$100,000 of contributions; and
12 (2) for contributions accepted by a nonprofit, noncommercial public
13 Alaska educational radio or television network or station, 50 percent of
14 contributions of not more than \$100,000.

15 * Sec. 3. AS 43.20.014(d) is amended to read:

16 (d) In each tax year, contributions [A CONTRIBUTION] claimed as a credit
17 under this section

18 (1) may not be claimed as a credit under another provision of this title;

19 (2) may not also be allowed as a deduction under 26 U.S.C. 170 against
20 the tax imposed by this chapter; and

21 (3) may not, when combined with credits taken during the taxpayer's
22 tax year under AS 21.89.070, AS 43.55.019, AS 43.56.018, AS 43.65.018, or
23 AS 43.75.018, exceed \$200,000 [\$150,000].

24 * Sec. 4. AS 43.55.019(a) is amended to read:

25 (a) Subject to (d) of this section, a producer of oil or gas is allowed as a
26 credit against the tax due under this chapter the producer's contributions as
27 follows:

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

1 accreditation association,

2 (A) [A PRODUCER OF OIL OR GAS IS ALLOWED AS A
3 CREDIT AGAINST THE TAX DUE UNDER THIS CHAPTER (1)] 50
4 percent of contributions of not more than \$100,000; and

5 (B) [(2)] 100 percent of the next \$100,000 of contributions; **and**
6 **(2) for contributions accepted by a nonprofit, noncommercial public**
7 **Alaska educational radio or television network or station, 50 percent of**
8 **contributions of not more than \$100,000.**

9 * **Sec. 5.** AS 43.55.019(d) is amended to read:

10 (d) **In each tax year, contributions** [A CONTRIBUTION] claimed as a credit
11 under this section may not

12 (1) be claimed as a credit under another provision of this title; and

13 (2) when combined with credits taken during the taxpayer's tax year
14 under AS 21.89.070, AS 43.20.014, AS 43.56.018, AS 43.65.018, or AS 43.75.018,
15 exceed **\$200,000** [\$150,000].

16 * **Sec. 6.** AS 43.56.018(a) is amended to read:

17 (a) **Subject to (d) of this section, the owner of property taxable under this**
18 **chapter is allowed as a credit against the tax due under this chapter the owner's**
19 **contribution as follows:**

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

25 (A) [THE OWNER OF PROPERTY TAXABLE UNDER THIS
26 CHAPTER IS ALLOWED AS A CREDIT AGAINST THE TAX DUE
27 UNDER THIS CHAPTER (1)] 50 percent of contributions of not more than
28 \$100,000; and

29 (B) [(2)] 100 percent of the next \$100,000 of contributions; **and**
30 **(2) for contributions accepted by a nonprofit, noncommercial public**
31 **Alaska educational radio or television network or station, 50 percent of**

1 contributions of not more than \$100,000.

2 * Sec. 7. AS 43.56.018(d) is amended to read:

3 (d) In each tax year, contributions [A CONTRIBUTION] claimed as a credit
4 under this section may not

5 (1) be claimed as a credit under another provision of this title; and

6 (2) when combined with credits taken during the taxpayer's tax year
7 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.65.018, or AS 43.75.018,
8 exceed \$200,000 [\$150,000].

9 * Sec. 8. AS 43.65.018(a) is amended to read:

10 (a) Subject to (d) of this section, a person engaged in the business of
11 mining in the state is allowed as a credit against the tax due under this chapter
12 the contributions made by the person as follows:

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

18 (A) [A PERSON ENGAGED IN THE BUSINESS OF MINING
19 IN THE STATE IS ALLOWED AS A CREDIT AGAINST THE TAX DUE
20 UNDER THIS CHAPTER (1)] 50 percent of contributions of not more than
21 \$100,000; and

22 (B) [(2)] 100 percent of the next \$100,000 of contributions; and
23 (2) for contributions accepted by a nonprofit, noncommercial public
24 Alaska educational radio or television network or station, 50 percent of
25 contributions of not more than \$100,000.

26 * Sec. 9. AS 43.65.018(d) is amended to read:

27 (d) In each tax year, contributions [A CONTRIBUTION] claimed as a credit
28 under this section may not

29 (1) be claimed as a credit under another provision of this title; and

30 (2) when combined with credits taken during the taxpayer's tax year
31 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, or AS 43.75.018,

1 exceed \$200,000 [\$150,000].

2 * **Sec. 10.** AS 43.75.018(a) is amended to read:

3 (a) **Subject to (d) of this section, a person engaged in a fisheries business**
4 **is allowed as a credit against the tax due under this chapter the contributions**
5 **made by the person as follows:**

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

11 (A) [A PERSON ENGAGED IN A FISHERIES BUSINESS IS
12 ALLOWED AS A CREDIT AGAINST THE TAX DUE UNDER THIS
13 CHAPTER (1)] 50 percent of contributions of not more than \$100,000; and

14 (B) [(2)] 100 percent of the next \$100,000 of contributions; **and**
15 (2) **for contributions accepted by a nonprofit, noncommercial public**
16 **Alaska educational radio or television network or station, 50 percent of**
17 **contributions of not more than \$100,000.**

18 * **Sec. 11.** AS 43.75.018(d) is amended to read:

19 (d) **In each tax year, contributions** [A CONTRIBUTION] claimed as a credit
20 under this section may not

21 (1) be claimed as a credit under another provision of this title; and
22 (2) when combined with credits taken during the taxpayer's tax year
23 under AS 21.89.070, AS 43.20.014, AS 43.55.019, AS 43.56.018, or AS 43.65.018,
24 exceed \$200,000 [\$150,000].

25 * **Sec. 12.** This Act applies to tax years beginning after the December 31 that precedes the
26 effective date of this Act.

27 * **Sec. 13.** This Act takes effect January 1, 1996.