

SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 3/30/12

Referred: Rules

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

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

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

8 * **Section 1.** AS 14.03.113 is amended to read:

9 **Sec. 14.03.113. District determination of scholarship eligibility.** A school
10 district shall determine whether a student who graduates from a high school in the
11 district is eligible for an award of an Alaska **performance** [MERIT SCHOLARSHIP
12 PROGRAM] scholarship under AS 14.43.810 - 14.43.849. If a student is eligible, the
13 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 **Alaska residents who have attained an**
24 **Alaska High School Diploma by Examination after January 1, 2011, or who are**
25 high school graduates [WHO ARE ALASKA RESIDENTS] to attend a qualified
26 postsecondary institution in the state.

27 (b) The department shall, in consultation with the commission, adopt
28 regulations necessary to implement the **Alaska performance scholarship** program.
29 The commission shall administer the daily operations of the **Alaska performance**
30 **scholarship** program and financing of the **Alaska performance scholarship** program,
31 including the procedures for applying for the scholarships, establishing standards for

1 and ensuring continuing compliance with programmatic standards, and requiring
2 students to apply for other nonloan financial aid, consistent with federal law.

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

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

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

7 (2) **except as provided in (c) of this section,** graduated or will
8 graduate within six months from a high school in the state;

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

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

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

18 (4) **except as provided in (c) of this section,** has a minimum grade-
19 point average in high school of 2.5 or higher; the department shall set by regulation
20 minimum requirements based on a substantially similar standard for districts that do
21 not assign grades;

22 (5) has achieved a minimum score on a

23 (A) college entrance examination; or

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

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

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

31 (c) Notwithstanding the eligibility requirements in (a)(2) and (4) of this

1 section, the department shall adopt regulations to provide for the eligibility of a
2 student who has attained an Alaska High School Diploma by Examination in the state.

3 (d) The commissioner shall waive a portion of the core academic requirements
4 specified under (a)(3) of this section for not more than 12 additional months after a
5 student graduates from a high school in the state or 24 months after a student attains
6 an Alaska High School Diploma by Examination to provide an eligible applicant the
7 opportunity to complete the academic requirements at a qualified postsecondary
8 institution using a scholarship awarded under AS 14.43.825(a) or at a public high
9 school in the state with a district sponsorship under (g) of this section if the applicant
10 submits a timely application on a form approved by the commissioner and, for an
11 applicant who has graduated from a high school in the state, provides satisfactory
12 proof that the applicant was unable to complete the academic requirements under
13 (a)(3) of this section as a result of circumstances beyond the applicant's control,
14 including

15 (1) illness or disability;

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

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

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

21 (f) An applicant who receives a waiver under (d) of this section, shall, within
22 the time granted for the waiver, provide satisfactory proof to the commissioner of
23 completion of the core academic requirements specified under (a)(3) of this section.

24 (g) Notwithstanding a contrary provision in this title, a school district that
25 agrees to sponsor a student for a waiver under (d) of this section may include a student
26 who has been approved for a waiver under (d) of this section in the student count
27 conducted under AS 14.17.600 as a full-time or part-time student if the student attends
28 a school in the district for the purpose of completing the core academic requirements
29 under (a)(3) of this section.

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

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

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

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

4 **(A)** 3.5 grade-point average or above **or a total score in the**
5 **90th percentile or above on the general educational development**
6 **examination;** and

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

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

10 **(A)** 3.0 grade-point average or above **or a total score in the**
11 **80th percentile or above on the general educational development**
12 **examination;** and

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

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

16 **(A)** 2.5 grade-point average or above **or a total score in the**
17 **70th percentile or above on the general educational development**
18 **examination;** and

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

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

22 (b) A student's eligibility for a scholarship terminates six years after the date
23 the student **graduates** [GRADUATED] from high school **or attains a State of**
24 **Alaska High School Diploma by Examination,** unless the student qualifies for an
25 extension of time allowed by the department by regulation.

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

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

1 * **Sec. 9.** AS 14.43.830 is amended to read:

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

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

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

8 (B) **is** accredited by a regional **or national** accreditation
9 association;

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

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

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

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

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

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

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

31 **Sec. 14.43.915. AlaskAdvantage education grant account and Alaska**

1 **performance scholarship award account.** (a) The AlaskAdvantage education grant
2 account is created as an account in the general fund. Money may be appropriated to
3 the account from the Alaska higher education investment fund under AS 37.14.750
4 and from other sources. The commission may use the money in the account to pay
5 grants awarded under AS 14.43.400 - 14.43.420.

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

11 (c) Of the total amount available annually to the commission for payment of
12 grants under AS 14.43.400 - 14.43.420 and for payment of scholarships under
13 AS 14.43.810 - 14.43.849, one-third of the combined amount in the accounts
14 established under (a) and (b) of this section shall be available solely for payment of
15 grants awarded under AS 14.43.400 - 14.43.420. The commission shall annually
16 allocate to all qualified applicants for scholarships awarded under AS 14.43.810 -
17 14.43.849 two-thirds of the combined amount in the accounts. If an insufficient
18 number of qualified applicants are awarded scholarships under AS 14.43.810 -
19 14.43.849 before September 1 of each fiscal year, the balance of the account
20 established in (b) of this section shall be transferred to the account established in (a) of
21 this section for the payment of grants under AS 14.43.400 - 14.43.420 for that year. If
22 an insufficient number of qualified applicants are awarded grants under AS 14.43.400
23 - 14.43.420 before the end of that fiscal year, the commissioner shall redeposit the
24 remaining funds into the Alaska higher education investment fund established under
25 AS 37.14.750.

26 (d) The commission shall reserve a percentage calculated under this
27 subsection of the total amount available for awards in the accounts established under
28 (a) and (b) of this section each year for award to students who graduate from a school
29 district with an ADM of less than 800 or from a school that was operated by the
30 Alaska State-Operated School System established under former AS 14.08.020. The
31 percentage reserved under this subsection shall be calculated by adding the ADMs of

1 districts with an ADM of less than 800 and the number of students enrolled in a school
 2 that was operated by the Alaska State-Operated School System established under
 3 former AS 14.08.020 that is located in a district with an ADM of 800 or more and then
 4 dividing that number by the sum of the ADMs of all districts in the state.

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

8 (f) In this section,

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

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

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

13 (a) A religious or other private school that elects to comply with AS 14.45.100
 14 - 14.45.130 shall maintain permanent student records reflecting immunizations,
 15 physical examinations, standardized testing, academic achievement, courses taken at
 16 the school, and level of eligibility for an Alaska **performance** [MERIT
 17 SCHOLARSHIP PROGRAM] scholarship under AS 14.43.810 - 14.43.849.

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

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

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

21 The Alaska higher education investment fund is established in the general fund for the
 22 purpose of making grants awarded under AS 14.43.400 - 14.43.420 by appropriation
 23 to the account established under AS 14.43.915(a) and of making scholarship payments
 24 to qualified postsecondary institutions for students under AS 14.43.810 - 14.43.849 by
 25 appropriation to the account established under AS 14.43.915(b). Money in the fund
 26 does not lapse. The fund consists of

27 (1) money appropriated to the fund;

28 (2) income earned on investment of fund assets;

29 (3) donations to the fund; and

30 (4) money redeposited under AS 14.43.915(c).

31 (b) The legislature may appropriate any amount to the fund established in (a)

1 of this section. Nothing in this section creates a dedicated fund.

2 (c) As soon as is practicable after July 1 of each year, the commissioner of
3 revenue shall determine the market value of the fund established in this section on
4 June 30 for the immediately preceding fiscal year. The commissioner shall identify 10
5 percent of that amount as available for appropriation as follows:

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

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

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

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

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

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

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

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

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

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

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

4 **and**

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

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

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

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

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

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

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

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

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

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

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

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

31 (4) [FOR] a facility or an annual intercollegiate sports tournament by a

1 nonprofit, public or private, Alaska two-year or four-year college accredited by a
2 regional accreditation association;

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

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

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

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

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

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

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

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

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

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

27 (a) The owner of property taxable under this chapter is allowed a credit
28 against the tax due under this chapter 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. 19.** AS 43.56.018(a), as amended by sec. 28, ch. 92, SLA 2010, is amended to read:

20 (a) The owner of property taxable under this chapter is allowed a credit
21 against the tax due under this chapter for 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. 20.** AS 43.65.018(a) is amended to read:

2 (a) A person engaged in the business of mining in the state is allowed a credit
3 against the tax due under this 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. 21.** AS 43.65.018(a), as amended by sec. 35, ch. 92, SLA 2010, is amended to read:

26 (a) A person engaged in the business of mining in the state is allowed a credit
27 against the tax due under this 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. 22.** AS 43.75.018(a) is amended to read:

8 (a) A person engaged in a fisheries business is allowed a credit against the tax
9 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. 23.** AS 43.75.018(a), as amended by sec. 42, ch. 92, SLA 2010, is amended to read:

1 (a) A person engaged in a fisheries business is allowed a credit against the tax
2 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. 24.** AS 43.77.045(a) is amended to read:

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

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

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

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

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

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

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

4 **and**

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

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

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

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

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

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

19 **(4) for the Alaska higher education investment fund under**
 20 **AS 37.14.750.**

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

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

24 TRANSITION: ALASKA HIGHER EDUCATION INVESTMENT FUND. The
 25 Alaska higher education investment fund established in AS 37.14.750, enacted by sec. 12 of
 26 this Act, is the fund identified in sec. 20(f), ch. 5, FSSLA 2011.

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

29 TRANSITION: REGULATIONS. The Department of Education and Early
 30 Development, the Department of Labor and Workforce Development, the Department of
 31 Revenue, and the Alaska Commission on Postsecondary Education may adopt regulations

1 necessary to implement changes made to their respective authorities by this Act. The
2 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before July 1,
3 2012.

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

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

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

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

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

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

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

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