

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL

2 SENATE BILL NO. 33

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hearings upon denial of
7 certification for tax credit status."

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

9 * Section 1. AS 43.26.095(a)(3) is amended to read:

10 (3) The department shall hold formal hearings for those
11 persons to whom it denies certification. The purpose of these hear-
12 ings is to hear evidence on the reasons for a person failing to
13 qualify under this section. In order to obtain a reversal of the
14 denial, the [THE] person denied certification must show by convincing
15 evidence that he is unable to comply with this section because

16 (A) the specific activity engaged in requires a
17 greater percentage of trained personnel than the guidelines for
18 resident hiring permits and these trained personnel are not
19 available within the state in great enough number to preclude
20 out-of-state recruiting; or

21 (B) even though the person applying for tax credit
22 status has set up an on-the-job training program approved by
23 the department, he has been unable to meet the resident guide-
24 line requirements due to the inability of the local labor market
25 to supply enough trainable personnel.