

Introduced: 5/28/77
Referred: Finance

1 IN THE SENATE

BY KERTTULA AND COLLETTA

2 SENATE BILL NO. 370

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act granting a tax credit under the Alaska net
7 income tax; and providing for an effective date."

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

9 * Section 1. AS 43.20.031 is amended by adding a new subsection to read:

10 (h) A natural person is entitled to a tax credit for the amount of
11 contributions made within the tax year to civic or political organiza-
12 tions serving to inform the public and to develop recommendations to
13 protect the interests of the state in lands within its boundaries. An
14 exemption shall be granted under this subsection only to an organization
15 which secures a valid certificate issued by the department under sec. 41
16 of this chapter. To be eligible for a certificate under sec. 41 of this
17 chapter, a civic or political organization must

18 (1) have the principal office in Alaska;

19 (2) not be organized for profit;

20 (3) be organized exclusively for the purpose of informing the
21 general public of the issues facing the state in the proposals under
22 consideration by the United States Congress involving classification and
23 withdrawal of federal lands or their selection by the state and in the
24 development of recommendations to protect or promote the state's in-
25 terests.

26 * Sec. 2. AS 43.20 is amended by adding new sections to read:

27 Sec. 43.20.041. CERTIFICATE OF ELIGIBILITY OF CIVIC ORGANIZATION
28 TO RECEIVE CONTRIBUTIONS WHICH MAY BE CREDITED AGAINST TAX BY DONOR.

29 (a) A civic or political organization which meets the criteria listed

1 in sec. 31(h) of this chapter is entitled to be issued a certificate
2 under this section.

3 (b) An organization may apply for a certificate by submitting an
4 application to the department. Every application for a certificate
5 shall be made upon a form furnished by the department and shall contain
6 such information and be accompanied by such substantiation as the
7 department may require. No fee may be charged for processing an appli-
8 cation or issuing a certificate under this section.

9 (c) Notwithstanding (a) of this section, the department may deny
10 an application which is false in any material respect or fraudulent in
11 any respect.

12 (d) The department shall issue a certificate to the applicant or
13 deny the application within 30 days after the application and all re-
14 quired information and substantiation have been received.

15 (e) A certificate issued under this section is not assignable. It
16 is valid until suspended or revoked by the department or surrendered by
17 the holder.

18 Sec. 43.20.042. DUTY OF CERTIFICATE HOLDER TO INFORM DEPARTMENT OF
19 SUBSTANTIAL CHANGES IN OPERATIONS; DUTY TO SURRENDER CERTIFICATE. (a)
20 The holder of a certificate issued under sec. 41 of this chapter shall
21 submit written notice to the department within 30 days after any sub-
22 stantial change in the character, purposes, or methods of operation of
23 the holder. The notice shall describe the change and shall contain such
24 information as the department may require.

25 (b) The holder of a certificate issued under sec. 41 of this
26 chapter shall surrender the certificate to the department within 30 days
27 after receiving notice that the certificate has been revoked or sus-
28 pended.

29 (c) In the absence of proceedings to revoke or suspend a certifi-

1 cate issued under sec. 41 of this chapter, the holder shall surrender
2 the certificate to the department within 30 days after the holder
3 clearly ceases to meet one or more of the criteria listed in sec. 31(h)
4 of this chapter.

5 (d) If the holder of a certificate surrenders it to the department
6 before the 30-day period referred to in (a) of this section has expired,
7 compliance with (a) of this section is excused. Compliance with (a) of
8 this section does not excuse failure to comply with (c) of this section.

9 (e) Any violation of this section is a misdemeanor.

10 Sec. 43.20.043. REVOCATION OR SUSPENSION OF CERTIFICATE. (a) The
11 department may, upon hearing, revoke or suspend a certificate issued
12 under sec. 41 of this chapter for any of the following reasons:

13 (1) the application for the certificate was false in any
14 material respect or was fraudulent in any respect:

15 (2) the holder of the certificate failed to comply with sec.
16 42 of this chapter;

17 (3) the holder of the certificate no longer meets one or more
18 of the criteria listed in sec. 31(h) of this chapter.

19 (b) A hearing held under (a) of this section is subject to the
20 provisions of the Administrative Procedure Act concerning administrative
21 adjudication (AS 44.62.330 - 44.62.630).

22 Sec. 43.20.044. ADMINISTRATION. The department shall adopt regu-
23 lations implementing secs. 41 - 43 of this chapter.

24 * Sec. 3. Section 1 of this Act applies to taxable years beginning after
25 December 31, 1976.

26 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
27 070(c).