

Introduced: 2/21/79
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY RANDOLPH

2 HOUSE BILL NO. 265

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to legislators; and providing for an
7 effective date."

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

9 * Section 1. AS 24.15 is amended by adding a new section to Article 1 to
10 read:

11 Sec. 24.15.055. LEGISLATIVE TRUSTS. (a) A legislator may assign
12 all per diem, salary and allowances payable under AS 24.15 into a trust
13 for public purposes. The assignment must be made within 30 days of the
14 certification of the lieutenant governor that the legislator has been
15 elected, and remains in effect for the term to which the legislator was
16 elected. The trust shall be created upon forms approved by the legisla-
17 tive council and the commissioner of revenue.

18 (b) The amount to be paid into the trust established under this
19 section is based on the eligibility of the legislator for per diem,
20 salaries, and allowances under AS 24.15, and the trust will receive only
21 those amounts which the legislator applies for and would receive except
22 for the assignment.

23 (c) It is the intent of this section and a condition of the
24 assignment that the assignment be a full and complete release to the
25 trust of all per diem, salaries, and allowances to which the legislator
26 is entitled under AS 24.15 and that the amounts paid to the trust under
27 this section not be taxable to the legislator under AS 43.20.

28 (d) Amounts paid into a trust under (a) - (c) of this section
29 shall be held in special accounts in the state treasury. The money in

1 the trust may accumulate and earn interest at the rate of five per cent
2 a year. The money in the trust may be spent by the legislator during or
3 after his term of office for public purposes within the district from
4 which he was elected. In this section, "public purposes" includes
5 charitable, educational, civic, patriotic, social, cultural, and scien-
6 tific purposes.

7 (e) When a legislator creates a trust under (a) - (c) of this
8 section, an additional and separate trust shall be created for the
9 legislator by the legislative council. This separate trust shall be
10 held as a special account in the state treasury.

11 (f) Contributions may be made to the trust established under (e)
12 of this section. Contributions to the trust are confidential and
13 records reflecting the source of money paid to the trust are privileged
14 under art. I, sec. 22 of the state constitution and are not open to
15 inspection by a legislator receiving the benefits of the trust under (h)
16 of this section or to the public under AS 09.25.110 -09.25.120.

17 (g) A taxpayer may claim a credit against a tax liability due
18 under AS 43.20 for contributions made to a trust established under (e)
19 of this section.

20 (h) Contributions made to the trust established under (e) of this
21 section may be used by the legislator for living expenses, travel ex-
22 penses, and for other representational expenses.

23 (i) If the total amount of contributions to the trust created
24 under (h) of this section at any time exceeds the current cumulative
25 amounts payable to the trust created under (a) - (c) of this section,
26 the excess shall be retained in the trust established under (e) of this
27 section until the end of the term of the legislator. Any funds remain-
28 ing in the trust created under (e) of this section at the end of the
29 term of the legislator will be transferred to the trust created under

1 (a) - (c) of this section.

2 * Sec. 2. This Act takes effect November 1, 1980.

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