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Introduced: 1/14/81
Referred: Finance

SB 53

1 IN THE SENATE

BY COLLETTA

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SENATE BILL NO. 82

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE - FIRST SESSION

A BILL

political

*day care
and ~~bill~~*

For an Act entitled: "An Act repealing the campaign contribution tax credit
for individuals; and providing for an effective date."

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

* Section 1. AS 43.20.013 is repealed.

* Sec. 2. This Act is retroactive to January 1, 1981, and applies to
individual tax years after December 31, 1980.

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
070(c).

effective retroactive?

TELEGRAM

ALBECOM INC.
PHONE: 266-6442
JUNEAU, AK 99802

#

02 093 POM ANCHORAGE AK 15 03-04 21P AST

PMS SENATOR VIC FISHER

JUNEAU AK

APPRECIATE YOUR CONCERNED REVIEW OF SB82. IF REPEALED EFFECTIVE
DATE 1-82. PREFER NO REPEAL. RESPECTFULLY,

KEVIN (PAT) PARTELL

BOX 1776 ANCHORAGE AK 99513

02 093 A PM 5 23

(f) Repealed by § 10 ch 1 SSSLA 1980 and § 9 ch 2 SSSLA 1980. (§ 1 ch 70 SLA 1975; am § 2 ch 110 SLA 1978; am §§ 8—11 ch 113 SLA 1980; am § 10 ch 1 SSSLA 1980; am § 9 ch 2 SSSLA 1980)

Effect of amendments. — The 1978 amendment added a former third sentence of subsection (e).

Section 8, ch. 113, SLA 1980, the first 1980 amendment, effective June 21, 1980, and retroactive to January 1, 1980, in former subsection (c), made numerous changes in the tax column of the table. Sections 9 and 10 of ch. 113 rewrote former subsection (d) and subsection (e). Section 11 of ch. 113, effective June 21, 1980, and retroactive to January 1, 1979, added former subsection (f).

The second 1980 amendment, effective September 25, 1980 and retroactive to January 1, 1980, repealed subsections (a)-(d) and (f), concerning income tax on individuals and fiduciaries.

The third 1980 amendment, effective September 25, 1980, and retroactive to January 1, 1979, made the same changes

as the second 1980 amendment.

Editor's note. — As to legislative findings and intent, see § 1, ch. 110, SLA 1978, in the 1978 Temporary and Special Acts and Resolves.

Section 4, ch. 110, SLA 1978, provides: "This Act applies to taxable income earned or received after December 31, 1977."

Section 52, ch. 113, SLA 1980, effective June 21, 1980, makes sections 8—10 of the Act applicable to tax years beginning after December 31, 1979. Section 51 of the Act, effective June 21, 1980, makes section 11 of the Act applicable to tax returns for tax years beginning after December 31, 1979.

For legislative findings and purpose of the second and third 1980 amendments, see § 1, ch. 1, SSSLA 1980, and § 1, ch. 2, SSSLA 1980, in the 1980 Temporary and Special Acts and Resolves.

Sec. 43.20.012. Limitation on application of chapter; credits. The tax imposed by this chapter does not apply to individuals or to fiduciaries. However, an individual may file a return under this chapter in order to receive a tax credit under AS 43.20.013. (§ 2 ch 1 SSSLA 1980; § 2 ch 2 SSSLA 1980)

Effective date. — Section 13, ch. 1, SSSLA 1980, and § 11, ch. 2, SSSLA 1980, provide that this section take effect September 25, in accordance with AS 01.10.070(c). Section 12 of ch. 1 provides that this section is retroactive to January 1, 1980, and § 10 of ch. 2, provides that

this section is retroactive to January 1, 1979.

Editor's note. — For legislative findings and purpose of the enacting legislation, see § 1, ch. 1, SSSLA 1980, and § 1, ch. 2, SSSLA 1980, in the 1980 Temporary and Special Acts and Resolves.

Sec. 43.20.013. Individual tax credits. (a) [Effective until January 1, 1981] A resident individual is entitled to a tax credit not to exceed \$50 for

(1) A contribution made in a calendar year to a person or organization for use exclusively

- (A) for a political campaign for a candidate for
 - (i) President or Vice President of the United States, whether or not the candidate will be voted on in a primary election in Alaska;
 - (ii) United States senator from Alaska;
 - (iii) United States representative from Alaska;
 - (iv) governor or lieutenant governor of Alaska;
 - (v) the Alaska legislature;
 - (vi) delegate to an Alaska constitutional convention;
 - (vii) electoral confirmation as a judge or justice of a court in Alaska;

or

(viii) municipal office in Alaska; or
 (B) by a group seeking to influence the outcome of a ballot proposition or question in Alaska; and

(2) dues paid in a calendar year to a nonprofit organization organized primarily for the purpose of influencing elections in Alaska.

(a) [Effective January 1, 1981] A resident individual is entitled to a tax credit not to exceed \$100 for

(1) a contribution made in a calendar year to a person or organization for use exclusively

(A) for a political campaign for a candidate for

(i) President or Vice President of the United States, whether or not the candidate will be voted on in a primary election in Alaska;

(ii) United States senator from Alaska;

(iii) United States representative from Alaska;

(iv) governor or lieutenant governor of Alaska;

(v) the Alaska legislature;

(vi) delegate to an Alaska constitutional convention;

(vii) electoral confirmation as a judge or justice of a court in Alaska; or

(viii) municipal office in Alaska; or

(B) by a group seeking to influence the outcome of a ballot proposition or question in Alaska; and

(2) dues paid in a calendar year to a nonprofit organization organized primarily for the purpose of influencing elections in Alaska.

(b) A resident individual is entitled to a tax credit equal to 16 percent of the tax credit claimed by the individual on his federal income tax return for household and dependent care services necessary for his gainful employment.

(c) The commissioner of revenue shall pay the amount of a tax credit allowed by this section to a resident individual who makes a return as provided in AS 43.20.012. A credit under this section shall be paid in the manner provided in AS 43.20.030(e) for the payment of refunds and payment may not be made without an appropriation for that purpose. (§ 2 ch 1 SSSLA 1980; am § 9 ch 1 SSSLA 1980; § 2 ch 2 SSSLA 1980)

Effect of amendment. — Section 9, ch 1, SSSLA 1980, effective January 1, 1981, substituted "\$100" for "\$50" in the introductory language of subsection (a).

Effective date. — Section 13, ch. 1, SSSLA 1980, and § 11, ch. 2, SSSLA 1980, provide that this section take effect September 25, in accordance with AS 01.10.070(c). Section 12 of ch. 1 provides

that this section is retroactive to January 1, 1980, and § 10 of ch. 2, provides that this section is retroactive to January 1, 1979.

Editor's note. — For legislative findings and purpose of the enacting legislation, see § 1, ch. 1, SSSLA 1980, and § 1, ch. 2, SSSLA 1980, in the 1980 Temporary and Special Acts and Resolves.

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STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

February 4, 1981

The Honorable Vic Fischer
Chairman
Senate State Affairs Committee
Room 205 - Behrends Building
Juneau, Alaska

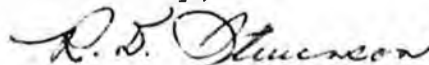
Re: Senate Bill No. 82

Dear Senator Fischer:

Senate Bill No. 82, an Act repealing the campaign contribution tax credit for individuals, was introduced in the Senate on February 14, 1981 and was referred to the Senate Finance Committee. Subsequently, on January 16, 1981 the Bill was given an additional referral to the Senate State Affairs Committee.

For the consideration of the Senate State Affairs Committee, I am enclosing copies of Fiscal Notes prepared by Mr. Gary Jenkins, Director, Audit Division and Vincent Wright, Research Section of the Department of Revenue concerning the proposed legislation.

Sincerely,



R. D. Stevenson
Special Assistant

cc: The Honorable Don Bennett
The Honorable M. E. Dankworth
Co-Chairmen
Senate Finance Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Gary Jenkins, Director
Audit Division
Department of Revenue

Vincent Wright
Research Section
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 82

Title An Act repealing the campaign contribution tax credit for individuals

Requested by Senate Finance Committee Date 1/22/81

II. FISCAL DETAIL

Agency Affected Department of Revenue

Program Category Affected Revenue Collection And Management

BRU, Program, or Subprogram(s) Affected Audit Division

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars) - None

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars) - None

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS - None

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

There will be no effect on the administrative costs of the audit division from the repeal of the refundable credit provisions. This bill would repeal both the political contribution and child care credits.

IV. DATE 2/3/81

PREPARED BY [Signature]
AGENCY Audit Division
PHONE 465-2320

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 82
 Title Repealing the campaign contribution tax credit for individuals
 Requested by Senate Finance Committee Date 1/21/81

II. FISCAL DETAIL
 Agency Affected _____
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

Millions
FUNDING (Thousands of Dollars)

GENERAL FUND					
FEDERAL FUNDS					
OTHER (Specify Fund Source)					
Savings to the State (Political contributions and child care.)		(1.63)	(2.8)	(2.8)	

POSITIONS

FULL TIME					
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The aforementioned figures reflect the projected upward adjustment in the political contribution credit from \$50 to \$100.

The figures indicated the savings to the State as a result of repeal of the refundable credit portion of AS 43.20.013. Claims for refundable tax credits for 1979 and 1980 would be permitted and payments would be made on those claims.

IV. DATE 1/21/81 PREPARED BY Vincent D. Wright
 AGENCY Revenue
 PHONE 465-2391
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907.465.3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 14, 1981

SUBJECT: State campaign funding
(Work Order No. 12-1439)

TO: Senator Vic Fischer

FROM: Richard A. Bradley *R*
Legislative Counsel

Nancy Groszek asked for a copy of the notes Jack made of his conversation with Jamie Love.

Because there are some gaps in the proposal, a statement of the premises of this kind of bill may be useful:

(1) Personal contributions are permitted. Corporate are not. What about unions? I assume that the corporate/union prohibition applies only if a candidate agrees to accept financing. If a candidate does not, then whatever would otherwise be permitted is acceptable.

(2) The proposal states flat limits. Are these for the primary and the general, for each, or what. The usual concept (the Federal and HB 492 at least) is matching after a threshold is reached, and 100 percent funding in the general.

(3) The latter concept of 100 percent funding in the general election is not stated as part of the request. Is this intentional?

(4) As noted, no thresholds for matching contributions are stated. Parker's bill (HB 492) used a concept of \$15,000 raised from candidates in two-thirds of the state election districts in a campaign for governor/lieutenant governor. Do you want thresholds?

Senator Vic Fischer
Page 2
April 14, 1981

(5) What about governor/lieutenant governor candidacies. Suppose one accepts, the other does not. What happens?

(6) Funds raised before the act takes effect. ???

(7) Tax credits: available generally or denied to candidates not accepting limits.

(8) To what extent are political party expenditures under the limits? Are the political parties to be permitted back-door contributions?

HB 492 states a number of these concerns; a copy is enclosed. The bill was not enthusiastically received, in part because it seemed so impenetrable. It may be possible to trim it, based on a judgment of sorts that the mechanisms are unnecessary.

But Jamies's proposal is somewhat skeletal at this point.

I believe four states use public funding at this time: New Jersey (19:44A), Michigan (169.261), Minnesota (10A), and Wisconsin (citation unavailable).

RAB:ljb

Enclosures

Campaign legislation:

Ban corporate contributions -- Limit personal contributions to \$500

As to personal contributions, at time candidate files he would have to elect to raise money on his own or opt for public financial support. Could opt out of receiving public financial support until he receives first payment, after which he is bound.

If candidate opts to accept support from public sources, he would have to stay within limits of

governor -- \$400,000	state senate -- \$50,000
lt. governor -- \$200,000	state house -- \$25,000

adjusted annually by APOC to reflect increases in cost of living (presumably for Anchorage) with 1980 as base.

Public financing would be payable by APOC, who would implement all this by regulation. The match would be limited to the first \$100 received by the candidate from an individual. Amounts above \$100 would not be matched. The match would be dollar-for-dollar.

Legitimate campaign expenses which would be matched would be those incurred until the tenth day after election. Thereafter, if there were money left over, a candidate would have to repay the overage to the state, to the extent of the contributions received.

Penalties for violation would track the penalties now applicable to violations of state campaign practices laws.

Jamie Love
617-628-4345
13 Adams Street
Somerville, MA 02145

TO: William A. Egan
Governor

DATE : December 6, 1973

FROM: H. A. Boucher
Lieutenant Governor

SUBJECT: Initiative Applications

During the past months, my office has received three initiative applications for possible placement on the 1974 primary and/or general election ballot. An outline of the contents of each petition follows.

Proposition #1

A PETITION FOR MOVING THE CAPITAL OF THE STATE OF ALASKA

This initiative bill calls for construction of a new Alaskan capital city at one of two or three sites nominated by a selection committee appointed by the Governor. Each site must include at least 100 square miles of donated and public land, in Western Alaska at least thirty miles from Anchorage and Fairbanks. The final selection will be made, after a committee report and hearings, by plurality vote in a general election. Construction must allow movement of offices to begin by October 1, 1980. Funding for committee activity and construction of capitol facilities is to be provided by the Legislature.

Proposition #2

A PETITION RELATING TO CONFLICT OF INTERESTS OF PUBLIC OFFICIALS

This initiative, declaring as one of its purposes, "to discourage public officials from acting upon a private or business interest in the performance of a public duty," would require disclosure by State officials of their private financial interests. Officials covered by the initiative are the Governor, Lieutenant Governor, legislators, judges, department heads, and each member of a state commission or board. Also, each candidate for the state elected office must file a disclosure statement within twenty days of filing for office. Information required to be disclosed include the sources of all income received by the official during the preceding 12 months, the identity of each business in which he has an interest, and the identity and nature of each interest in real property. In addition to an initial disclosure, each of the covered officials would be required to file updating disclosure statements in each subsequent year that the official holds office. The initiative also allows an official to place his assets in a "blind trust" for the duration of his service as a public official. Here, full control of the

of the assets would be in the hands of a trustee. Automatic penalties are provided to operate against those who refuse or fail to file. Generally, any official who fails to file is guilty of a misdemeanor, and may not receive any salary, per diem or travel expenses until he complies. In addition, the initiative provides that any official who has not yet assumed his duties "shall forfeit his nomination to office if he has not complied."

Proposition #3

A PETITION RELATING TO CAMPAIGN CONTRIBUTIONS, EXPENDITURES AND THEIR LIMITATIONS

This initiative includes among its findings "that the people have a right to be informed of the sources of significant election campaign contributions and the manner in which they are spent." Thus, the initiative requires candidates for elective office in Alaska and political committees to file reports disclosing the sources and amounts of all campaign contributions and sets limits on spending for each state elective office. Further, campaign spending may only take place through the candidate. The disclosure requirements also apply to local elections, but no limits on spending are set for local elections. Statements are required to be filed periodically before an election so that the electorate receives the information prior to voting. The spending limits for state offices are as follows:

- (a) \$125,000 if the candidacy is for Governor or Lieutenant Governor, of which sum no more than \$50,000 may be spent on the primary campaign.
- (b) \$8,000 if the candidacy is for the State Senate.
- (c) \$6,000 if the candidacy is for the State House of Representatives.

All amounts are exclusive of the candidates personal travel and living expenses. In addition to the reports required of candidates and political committees, individual contributors who make contributions in excess of \$100 must file a report, and commercial advertisers who provide advertising for candidates and political committees must file statements disclosing the kind of advertising provided, and the amount received for the advertising. The initiative also provides for appointment by the Governor of a "watchdog committee" composed of members of each political party selected from names submitted by the parties, and of three independents from a list submitted by the League of Women Voters. The committee's general duty is to inspect the various required statements for possible violations. If a violation is found, the committee has the power to initiate legal action against a violator. In addition, any

William A. Egan
December 6, 1973
Page Three

person may bring an action to enforce the provisions of the initiative bill. The bill also establishes a general criminal penalty of a fine of not less than \$1,000 nor more than \$5,000 for any person who fails to file a statement required by the bill.

Following is an outline of requirements necessary to place these initiatives on a 1974 ballot.

1. In accordance with AS 15.45.140, the sponsors must file the initiative petition within one year from the date that the sponsors received notice from the Lieutenant Governor that the petitions were ready for delivery.
2. In accordance with AS 15.45.140, the petitions must be signed by qualified voters equal in number to 10 percent of those who voted in the preceding general election and resident in at least two-thirds of the election districts of the State. For each petition, 9,951 qualified signatures representing at least 13 election districts are required.
3. In accordance with AS 15.45.190, the petition cannot be placed on an election ballot unless the legislature has convened and adjourned after receipt of the petition. Therefore, the petition must be filed with my office prior to the legislature convening on January 21, 1974, for placement on the first statewide general, special, or primary election. In addition, 120 days must expire after the legislature adjourns before the initiative can be placed on the election ballot. Therefore, for these initiative petitions to be placed on the primary election ballot, the legislative sessions must adjourn by April 29, 1974.

My staff is expediting all matters pertaining to the petitions as quickly and efficiently as possible. We all recognize the necessity of remaining "on top" on this matter.



Keep your eyes open

Sen. Fischer
Ira

Alaska State Legislature

Senator Vic Fischer • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

MEMORANDUM

TO: Sen. Jalmar Keritula
Senate President

FROM: Sen. Vic Fischer *VF*

DATE: Feb. 24, 1982

RE: Tax credit for political campaign contributions

SB 82, dealing with the subject, is in State Affairs.

We held extensive hearings on this matter last session and have been doing both interim and current in-depth analysis of the subject.

If and when HB 137, dealing with tax credits for political contributions, comes over from the House, I would appreciate you assigning it to State Affairs.

Thanks.

Campaign rebate faces budget ax

By JON MATTHEWS
Daily News reporter

JUNEAU — State rebates for Alaskans contributing to political campaigns, millions of dollars in state administrative costs and seven attorneys within the state Department of Law may be eliminated or reduced by the House Finance Committee today, according to lawmakers and other officials.

The cuts may be proposed in an afternoon meeting as part of the largest effort yet by the House majority coalition to reduce Gov. Jay Hammond's proposed state operating budget by

nearly \$300 million.

According to documents released by finance committee members Wednesday, the panel today may consider a \$15.3 million cut from Hammond's \$265 million request to run the Department of Revenue. The cut would leave the revenue agency with about \$9 million less than what it received this year.

But a large share of the reduction — about \$11 million — actually may be required by law due to a drop in oil taxes designated for specific state municipal assistance, lawmak-

ers said.

Also under consideration will be a proposed \$1.3 million reduction in Hammond's request of \$15.2 million to run the Department of Law during the coming fiscal year — a move that could leave the department with about 1 percent less funding than it received this year.

Although proposals could change by this afternoon, specific cutbacks that may be recommended by finance subcommittees today include:

2-11-82

See Back Page, HOUSE

House panel ready to act on budget cuts

Continued from Page A-1

• Reduction or elimination of \$100 state rebates to individual Alaskans contributing to political campaigns. The contribution program was started as a tax credit before lawmakers repealed the state's income tax and has been continued thereafter as a flat reimbursement to political contributors.

• A possible 15.6 percent reduction in Hammond's \$3.4 million request for child sup-

port payment enforcement efforts by the state Department of Revenue. But the possible reduction would leave the program with about \$400,000 more than the \$2.6 million it received this year.

• A possible 56 percent reduction in the \$1.3 million requested by Hammond to run the state's permanent fund savings account during the coming fiscal year.

• A 28 percent reduction in the \$2.3 million requested by

Hammond for administrative services within the Department of Revenue.

• A 34 percent decrease in the \$1.2 million requested by Hammond for administration and support services in the Department of Law.

Ronald Lorenson, deputy state attorney general, said he had not been informed as of Wednesday afternoon about what specific cuts may be considered in his agency by the House panel.

M E M O

RE: SB 82

Nan

Alternative approach to public financing of election campaigns.

An idea; state provides X dollars per registered voter in each part. *party!*

Require that each party provide for equal distribution of such funds per candidate: certain percentage for primary, for general election.

This will provide incentives for parties to register and recruit voters who will declare party preference.

Result:

Increased voter registration, increased role of parties, greater accountability of parties and candidates, etc., etc.

3-10-81

SB 82

Susan Clark, AAUW

- cost of day care - high cost
- need support in area of child care

Solutions -

- grandparents / elderly - provide child care
- staff salaries, staff group
- food subsidies
- incr. job sharing, part-time work - so parents can participate
- incentives for bus. to day care
- facilities in staff bldg for child care
- care of elderly, not just children

Common Cause - supports publ. funding -

Dore M. Kull

- pay relatives for child care
(help to let that person of welfare, ?)

Margaret Holland LWV

- + tax credits for camp, contribs + day care
- keep day care credit on books in case tax reinstated -
- in staff bldg

LWV position on camp. financing.
support publ. financing

82

- 82 back door entry into
publicly financed campaigns

any group could form - charge
votes - infl. legislation
- & get reforms

- C. Financing individuals vs. org.
only ~~any~~ indiv. who pay tax
- E. Allow some amount of public
financing

Dena Klein - Dep't of Rev.

for ~~the~~ Admin -

Repeal campaign & child care
credit.

Gov. would consider another method

Child care credit - ←

1980 - applic "44K - 836 people

640 people for 79 - 30K

est. 400K

2

Gov. - may be some merit
for public fin of camp.
- would be willing
to consider another
method, other than credit
against ~~un~~-existing
taxes

Bradley - tax credits not
best way.

SB 165 -

- organiz assembly
in capital - ~~prime~~
July 4

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8-3-81

Keith Specking

Pete Rouse

- Terry Miller - re publ. fin of camp.
- CRA - Child care

~~Terry Miller~~

Terry Miller - will put staff on
it. 1 week

SB 82

4/15/81

PUBLIC
Se attached
FINANCIAL
re public

Dick Bradley is
on hold
ELECTIONS
hears from us
says the bill is
really complex
would take lots of time
& research. I agree
Interim Project... 2 over
Man