Exhibit No. 8
Date 2-14-05
Bill No. SB 319

DOR audit

Amendments to Senate Bill No. 319
1st Reading Copy

Requested by Senator Jon Ellingson

For the Senate Judiciary Committee

Prepared by Valencia Lane
February 10, 2005 (2:12pm)

1. Page 16, lines 11 and 12.
Following: "for" on line 11
Strike: remainder of line 11 through "contributed" on line 12
Insert: "a direct contribution"

2. Page 16, line 14 through line 15.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

3. Page 16, line 16 through line 17.
Following: "A" on line 16
Strike: remainder of line 16 through "contribution" on line 17
Insert: "direct contribution to this fund"

4. Page 16, line 19.
Following: line 18
Insert: "(3) If the election is made to claim this credit, the contribution may not be claimed as a deduction under 15-30-121."

5. Page 16, line 29.
Following: "(3)"
Strike: "(a) Except as provided in subsection (3)(b), money"
Insert: "Money"

6. Page 17, line 2 through line 4.
Strike: subsection (b) in its entirety

7. Page 17, lines 7 and 8.
Following: "for" on line 7
Strike: remainder of line 7 through "contributed" on line 8
Insert: "a direct contribution"

(OVER)

8. Page 17, line 10 through line 11.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

9. Page 17, line 12 through line 13.
Following: "A" on line 12
Strike: remainder of line 12 through "contribution" on line 13
Insert: "direct contribution to this fund"

- END -

1 "Supreme court public money election campaign fund. Check this box if you wish to designate $5 ___,
2 $10 ___, or more ___ (indicate amount up to a maximum of $50) of your tax payment due to help fund the public
3 money election campaign fund. On a joint return, check the corresponding box for your spouse if your spouse
4 wishes to contribute $5 ___, $10 ___, or more ___ (indicate amount up to a maximum of $50) of the tax payment
5 due for the same purpose."
6 (3) Money received under this section must be deposited in the public money election campaign fund
7 created by [section 17] after the department has deducted the amount necessary for the department to
8 administer this section as provided in 15-30-153.
9
10 NEW SECTION. **Section 27. Tax credit for money contributed to public money election campaign**
11 **fund.** (1) A tax credit is allowed against the taxes imposed by this chapter in an amount up to $50 for ~~an amount~~
12 ~~contributed~~ a direct contribution to the public money election campaign fund provided for in [section 17]. The credit allowed by this
13 section may not exceed the taxpayer's income tax liability.
14 ~~(2) The contribution for which the credit is allowed may be made by the voluntary checkoff provided for~~
15 ~~in [section 26] or by another method of donation.~~
16 (2) ~~(3)~~ There is no carryback or carryforward of the credit permitted by this section. A ~~contribution made~~
17 ~~by the voluntary checkoff provided for in [section 26] or by another method of contribution~~ direct contribution to this fund for which a tax credit
18 is claimed must be made in the same tax year for which a return is filed.
(3) If the election is made to claim this credit, the contribution may not be claimed as a deduction under 15-30-121."
20 NEW SECTION. **Section 28. Voluntary checkoff for public money election campaign fund.** (1)
21 Each taxpayer that is required to file an income tax return under this chapter may contribute part of any tax
22 payment due to the public money election campaign fund, provided for in [section 17], by marking the
23 appropriate box on the state income tax return.
24 (2) Each state corporate income tax return must contain a provision for indicating a contribution to the
25 public money election campaign fund in substantially the following form:
26 "Supreme court public money election campaign fund. Check this box if you wish to designate $5 ___,
27 $10 ___, or more ___ (indicate amount up to a maximum of $50) of your tax payment due to help fund the public
28 money election campaign fund."
29 (3) ~~(a) Except as provided in subsection (3)(b), money~~ Money received under this section must be deposited
30 in the public money election campaign fund created by [section 17] after the department has deducted any

amount necessary for the department to administer this section.

~~(b) If the balance in the public money election campaign fund, except amounts borrowed under [section 25], is $200,000 or more, then the money received under this section must be deposited in the state general fund.~~

NEW SECTION. **Section 29. Tax credit for money contributed to public money election campaign fund.** (1) A tax credit is allowed against the taxes imposed by this chapter in an amount up to $50 for ~~an amount contributed~~ a direct contribution to the public money election campaign fund provided for in [section 17]. The credit allowed by this section may not exceed the taxpayer's income tax liability.

~~(2) The contribution for which the credit is allowed may be made by the voluntary checkoff provided for in [section 28] or by another method of donation.~~

(2) ~~(3)~~ There is no carryback or carryforward of the credit permitted by this section. A ~~contribution made by the voluntary checkoff provided for in [section 28] or by another method of contribution~~ direct contribution to this fund for which a tax credit is claimed must be made in the same tax year for which a return is filed.

Section 30. Section 13-1-101, MCA, is amended to read:

"13-1-101. Definitions. As used in this title, except as provided in [sections 1 through 25], and unless the context clearly indicates otherwise, the following definitions apply:

(1) "Active elector" means an elector who voted in the previous federal general election and whose name is on the active list.

(2) "Active list" means a list of active electors maintained pursuant to 13-2-220.

(3) "Anything of value" means any goods that have a certain utility to the recipient that is real and that is ordinarily not given away free but is purchased.

(4) "Application for voter registration" means a voter registration form prescribed by the secretary of state that is completed and signed by an elector, submitted to the election administrator, and contains voter registration information subject to verification as provided by law.

(5) "Ballot" means:

(a) a paper ballot used with a paper-based system, such as an optical scan system or other technology that automatically tabulates votes cast by processing the paper ballots; or

(b) a nonpaper ballot, such as a ballot used with a nonpaper-based system, such as a lever machine,

OFFICIAL DRAFTED

AMENDMENTS TO SENATE BILL 319 – AS INTRODUCED

Drafter: Dave Ohler, DOR Date: 02/07/05 13:44

1. Page 16, line 11.
Following: "for"
Strike: "an amount contributed"
Insert: "a direct contribution"

2. Page 16, lines 14 through 15
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

3. Page 16, line 16.
Following: "A"
Insert: "direct"
Following: "contribution"
Insert: "to this fund"
Strike: "made by the voluntary checkoff provided for in [section 26] or by another method of contribution"

4. Page 16, line 19.
Insert: "(3) If the election is made to claim this credit, the contribution cannot be claimed as a deduction under 15-30-121."

5. Page 16, line 29.
Strike: "(a) Except as provided in subsection (3)(b), money"
Insert: "Money"

6. Page 17, lines 2 through 4.
Srike: subsection (b) in its entirety

7. Page 17, line 7.
Following: "for"
Strike: "an amount contributed"
Insert: "a direct contribution"

8. Page 17, lines 10 through 11.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

9. Page 17, line 12.
Following: "A"
Insert: "direct"
Following: "contribution"
Insert: "to this fund"
Strike: "made by the voluntary checkoff provided for in [section 26] or by another method of contribution"

Lane, Valencia

From: McHugh, Shona
Sent: Tuesday, February 08, 2005 7:05 AM
To: Lane, Valencia
Cc: Ohler, Dave; McKeon, Jim
Subject: SB 319 - Public financing for Supreme Court candidates

Hi Valencia,

Please find attached some amendments for SB 319 sponsored by Senator Ellingson. It will be heard by the Senate Judiciary committee this morning.

SB 319.doc

We have spoken with Senator Ellingson regarding these amendments, which pertain to the administration of the voluntary checkoff/credit on the income tax returns, and he concurred with the changes. Jim McKeon will be an informational witness for the DOR at the hearing this morning.

Please send a copy of the finalized amendments to the attention of Dave Ohler, Laurie Logan and myself.

Thank you for your assistance!

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