

ASSEMBLY, No. 1261

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman RUSSO

1 AN ACT increasing the amount of the checkoff on income tax returns
2 for contributions to the "Gubernatorial Elections Fund" and
3 amending N.J.S.54A:9-25.1 and P.L.1980, c.74.

4
5 BE IT ENACTED by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. N.J.S.54A:9-25.1 is amended to read as follows:
9 54A:9-25.1. a. There is hereby established within the General
10 Treasury a special fund to be known as the "Gubernatorial Elections
11 Fund." Where a taxpayer has indicated on a return filed pursuant to
12 this act that one dollar, three dollars, or five dollars of his taxes [is]
13 are to be reserved for such fund, the Treasurer shall credit such fund
14 with the amount so indicated from the taxes collected under the
15 provisions of this act. The fund shall be available for appropriation
16 pursuant to section 5 of P.L.1974, c.26 (C.19:44A-30), provided
17 however that establishment of the "Gubernatorial Elections Fund" shall
18 in no way affect the operation of said section.

19 Blank forms of return provided by the director for use in reporting
20 under this act shall include, in a conspicuous place, the opportunity for
21 a taxpayer to indicate his preference under this section in substantially
22 the following manner:

Table with 2 columns: Description and Question. Row 1: "Gubernatorial Elections Fund" and "Do you wish to designate [\$1] a portion of your taxes for this fund? If so, please indicate whether the amount designated is \$1[, \$3[, or \$5[. Row 2: NOTE: If you check the "Yes" box(es) and "If joint return, does your spouse wish to designate".

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 it will not increase [\$1] a portion of
2 your tax or reduce your joint taxes for the fund?
3 your refund. If so, please indicate whether
4 the amount designated is \$1[],
5 \$3[], or \$5[].

6
7 b. (1) Not later than the fifth day following receipt from the New
8 Jersey Election Law Enforcement Commission of the commission's
9 certification, as required by subsection e. of section 19 of P.L.1980,
10 c.74 (C.19:44A-7.1), of the amount of the percentage of change in the
11 index of prices affecting the overall costs of election campaigning, the
12 State Treasurer shall for the purposes of this section compute, for the
13 third of the alternative amounts among which a taxpayer may choose
14 in designating the amount of tax, if any, to be reserved to be credited
15 to the Gubernatorial Elections Fund, an "adjusted standard value". In
16 the year 2000, that value shall be computed by multiplying the
17 percentage of change certified in that year, plus 100%, times five
18 dollars; in each fourth year thereafter, that value shall be computed by
19 multiplying the percentage of change certified in such subsequent year,
20 plus 100%, times (a) in a computation year four years after a year in
21 which the third alternative checkoff amount was increased pursuant to
22 the provisions of paragraph (2) of this subsection, the value of that
23 increased amount, and (b) in any other computation year, the "adjusted
24 standard value" as determined in the fourth year preceding that
25 computation year.

26 (2) Notwithstanding the provisions of subsection a. of this section,
27 for each of the four taxable years commencing on or after January 1
28 following a year in which an "adjusted standard value" is computed as
29 prescribed under paragraph (1) of this subsection, the third alternative
30 amount from which a taxpayer may choose in designating the amount
31 of tax, if any, to be reserved to be credited to the Gubernatorial
32 Elections Fund under that subsection a. shall be the whole-dollar
33 amount that is nearest to the "adjusted standard value" amount so
34 computed; if the "adjusted standard value" amount is equidistant
35 between one whole-dollar amount and the next greater whole-dollar
36 amount, the third alternative amount of tax that may annually be so
37 reserved in those four taxable years shall be the lesser of those two
38 whole-dollar amounts. For any four taxable years in which the third
39 alternative amount is not increased to an amount greater than that
40 applicable during the preceding four taxable years, the first and second
41 such alternative amounts shall also remain unchanged. For any four
42 taxable years in which the third alternative amount is increased to an
43 amount greater than that applicable during the preceding four taxable
44 years, the first and second such alternative amounts shall each be
45 increased by an amount equal to the amount of such increase in that
46 third alternative amount.

1 On any blank form of return for such taxable years, the text of the
2 questions prescribed under subsection a. hereof concerning a
3 taxpayer's wish to make such a reservation shall be revised in
4 accordance with the provisions of this subsection.

5 (cf: P.L.1980, c.74, s.16)

6
7 2. Section 19 of P.L.1980, c.74 (C.19:44A-7.1) is amended to read
8 as follows:

9 19. a. For the purpose of ensuring the continuing adequacy of the
10 limits set by law upon contributions, expenditures and certain other
11 amounts relating to campaigns for nomination or election to the office
12 of Governor, the Election Law Enforcement Commission is
13 authorized and directed to adjust the limits on those amounts as
14 provided herein. The limitation amounts thus adjusted shall apply to
15 the primary and general elections for the office of Governor to be held
16 in the year following the year in which that adjustment is required
17 hereunder to be made.

18 b. The commission shall establish an index reflecting the changes
19 occurring in the general level of prices of particular goods and
20 services, including but not limited to goods and services within such
21 categories of expenditure as mass media and other forms of public
22 communication, personnel, rent, office supplies and equipment, data
23 processing, utilities, travel and entertainment, and legal and accounting
24 services, directly affecting the overall costs of election campaigning in
25 this State. The index shall be weighted in accordance with the impact
26 in the preceding general election for the office of Governor of the
27 respective prices of each of those several goods and services upon
28 those overall costs. Not later than December 1 of each year preceding
29 any year in which a general election is to be held to fill the office of
30 Governor for a four-year term, the commission shall determine the
31 percentage of change in this index which shall have occurred during
32 the four-year period ending with the year of the gubernatorial election,
33 and shall adjust the amounts, as set forth in subsection c. of this
34 section, which shall be applicable under P.L.1973, c.83 (C.19:44A-1
35 et seq.) to the primary and general elections for the office of Governor
36 to be held in the following year by multiplying that percentage of
37 change, plus 100%, times the amounts applicable thereunder to the
38 primary and general elections for that office held in the third year
39 preceding the year in which that December 1 occurs; provided that any
40 amount so adjusted shall be rounded as follows: if the adjusted
41 amount is less than \$20,000 and is not an exact multiple of \$100, to
42 the next higher exact multiple of \$100; if the adjusted amount is more
43 than \$20,000 but less than \$200,000 and is not an exact multiple of
44 \$1,000, to the next higher exact multiple of \$1,000; if the adjusted
45 amount is more than \$200,000 but less than \$2,000,000 and is not an
46 exact multiple of \$10,000, to the next higher exact multiple of

1 \$10,000; and if the adjusted amount is more than \$2,000,000 but less
2 than \$20,000,000 and is not an exact multiple of \$100,000, to the next
3 higher exact multiple of \$100,000.

4 c. The amounts subject to adjustment as provided under this
5 section shall be:

6 (1) The maximum amount of contributions permitted to be made
7 to any candidate for nomination for election or for election to the
8 office of Governor pursuant to section 4 of P.L.1974, c.26
9 (C.19:44A-29) and the amount of contributions with respect to which
10 a qualified candidate for nomination for election or for election to that
11 office shall be eligible to receive moneys from the fund for election
12 campaign expenses pursuant to section 8 of P.L.1974, c.26
13 (C.19:44A-33);

14 (2) The amount of deposits or expenditures required to have been
15 made by a candidate for nomination for election or for election to the
16 office of Governor in order for that candidate to be a qualified
17 candidate under subsection m. of section 3 of P.L.1973, c.83
18 (C.19:44A-3) and the amount of such deposits into such a candidate's
19 bank account for which no payment of public funds is to be made
20 pursuant to section 8 of P.L.1974, c.26 (C.19:44A-33);

21 (3) The maximum amount which may be spent in aid of the
22 candidacy of a qualified candidate for the office of Governor in a
23 primary or a general election pursuant to section 7 of P.L.1973, c.83
24 (C.19:44A-7); and

25 (4) The maximum amount which any qualified candidate for
26 nomination for election in a primary election or for election to the
27 office of Governor in a general election may receive from the fund for
28 election campaign expenses pursuant to section 8 of P.L.1974, c.26
29 (C.19:44A-33).

30 d. Not later than December 15 of each year preceding any year in
31 which a general election is to be held to fill the office of Governor for
32 a four-year term, the commission shall report to the Legislature its
33 adjustment of limits in accordance with the provisions of this section.
34 Whenever, following the transmittal of that report, the commission
35 shall have had notice that a person has declared as a candidate for
36 nomination for election or for election to the office of Governor in the
37 forthcoming primary or general election, it shall promptly notify that
38 candidate of the amounts of those adjusted limits.

39 e. Not later than December 3 of each year in which it is required
40 under subsection b. hereof to determine the percentage of change in
41 the index of prices affecting the overall costs of election campaigning,
42 the commission shall certify to the State Treasurer the amount of that
43 percentage of change so determined.

44 (cf: P.L.1989, c.4, s.3)

