

HOUSE BILL NO. 163

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE EASTMAN

Introduced: 5/13/19

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to permanent fund dividends."**

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

3 * **Section 1.** AS 43.23.015 is amended by adding a new subsection to read:

4 (k) The application form for claiming a permanent fund dividend must include
5 a place for the applicant to indicate whether the applicant wants to receive the
6 permanent fund dividend as one lump sum or in monthly payments.

7 * **Sec. 2.** AS 43.23.055 is amended to read:

8 **Sec. 43.23.055. Duties of the department.** The department shall

9 (1) annually pay permanent fund dividends from the dividend fund;

10 (2) subject to AS 43.23.011 and (8) of this section, adopt regulations
11 under AS 44.62 (Administrative Procedure Act) that establish procedures and time
12 limits for claiming a permanent fund dividend; the department shall determine the
13 number of eligible applicants by October 1 of the year for which the dividend is
14 declared and pay the dividends by December 31 of that year;

15 (3) adopt regulations under AS 44.62 (Administrative Procedure Act)

1 that establish procedures and time limits for an individual upon emancipation or upon
2 reaching majority to apply for permanent fund dividends not received during minority
3 because the parent, guardian, or other authorized representative did not apply on
4 behalf of the individual;

5 (4) assist residents of the state, particularly in rural areas, who, because
6 of language, disability, or inaccessibility to public transportation, need assistance to
7 establish eligibility and to apply for permanent fund dividends;

8 (5) use a list of individuals ineligible for a dividend under
9 AS 43.23.005(d) provided annually by the Department of Corrections and the
10 Department of Public Safety to determine the number and identity of those
11 individuals;

12 (6) adopt regulations that are necessary to implement AS 43.23.005(d)
13 and 43.23.048;

14 (7) adopt regulations that establish procedures for the parent, guardian,
15 or other authorized representative of a disabled individual to apply for prior year
16 permanent fund dividends not received by the disabled individual because no
17 application was submitted on behalf of the individual;

18 (8) adopt regulations that establish procedures for an individual to
19 apply to have a dividend disbursement under AS 37.25.050(a)(2) reissued if it is not
20 collected within two years after the date of its issuance; however, the department may
21 not establish a time limit within which an application to have a disbursement reissued
22 must be filed;

23 (9) provide any information, upon request, contained in permanent
24 fund dividend records to the child support services agency created in AS 25.27.010, or
25 the child support enforcement agency of another state, for child support purposes
26 authorized under law; if the information is contained in an electronic data base, the
27 department shall provide the requesting agency with either

28 (A) access to the data base; or

29 (B) a copy of the information in the data base and a statement
30 certifying its contents;

31 (10) establish a fraud investigation unit for the purpose of assisting the

1 (A) Department of Law in the prosecution of individuals who
2 apply for or obtain a permanent fund dividend in violation of a provision in
3 AS 11, by detecting and investigating those crimes; and

4 (B) commissioner to detect and investigate the claiming or
5 paying of permanent fund dividends that should not have been claimed by or
6 paid to an individual and to impose the penalties and enforcement provisions
7 under AS 43.23.270;

8 (11) adopt regulations under AS 44.62 (Administrative Procedure Act)
9 so that contributions under AS 43.23.062 are given a priority over donations under
10 AS 43.23.064 if the total amount of contributions and donations elected by an
11 applicant exceeds the amount of the permanent fund dividend that the applicant is
12 entitled to receive;

13 **(12) adopt regulations under AS 44.62 (Administrative Procedure**
14 **Act) that establish procedures to allow a person to receive a permanent fund**
15 **dividend in monthly installments.**