


Alaska State Legislature



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Senator Kevin Meyer Senate District O

TO: Senator Kevin Meyer
FROM: Christine R. Marasigan, Legislative Aide 
DATE: April 9, 2009
RE: CS for CSSB 171, explanation of change.

The drafted CS for CSSB 171 makes three changes.

1. Page 1, Line 12, "received a dividend for the year immediately before the qualifying year and" was inserted after the words, "If an individual who"
2. Page 1, Line 13, "after having been a state resident for at least 180 days immediately before the date of death," was inserted after the words, "dies during the qualifying year"
3. Page 1, Line 14, "and (a)(6)" was inserted after the words, "notwithstanding (a)(1) - (3)"

Reason for change:

Immediately after the passage of CSSB 171 from the Senate State Affairs committee, Chris Poag from the Department of Law and Debbie Bitney from the Permanent Fund Dividend division noted a few technical issues that they thought should be fixed. The current CS satisfies their concerns.

1. A majority of letters and emails supporting this bill are from people whose loved one died in November or December, was a longtime Alaskan, and met all PFD eligibility requirements with the exception of their death. There was some concern about SB 171 opening up the PFD to deceased, first time applicants. By adding language requiring that the deceased received a dividend in the prior year will effectively close any loophole for new deceased applicants. This has precedent in other application requirements and eligibility for the PFD.
2. In order to make absolutely sure that the deceased that the estate or successor is applying for was truly a resident, the requirement of 180 days of residency has been added—this has precedent in other application requirements and eligibility for the PFD.
3. (a)(6) reads "at all times during the qualifying year, physically present in the state or, if absent, was absent only as allowed in AS 43.23.008" If the applicant is deceased, they can not be physically present in the state and so (a) (6) was exempted in the text of the bill. Physical presence is required in the 2nd change in the CS which requires residency 180 days prior to death. The intent is that all other eligibility and exemptions for absences -- with the exception for death, which this bill addresses -- still apply.