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Nauman
4/24/23

CS FOR HOUSE BILL NO. 110()

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE CARPENTER

A BILL

FOR AN ACT ENTITLED

"An Act relating to the Alaska permanent fund; relating to permanent fund dividends and the dividend fund; relating to the duties of the Department of Revenue; relating to the duties of the Alaska Permanent Fund Corporation; and providing for an effective date."

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

*** Section 1.** The uncoded law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE INTENT. (a) It is the intent of the legislature to

(1) stabilize annual permanent fund dividend payments;

(2) require the state to pay a statutorily determined dividend;

(3) transfer the permanent fund earnings to the dividend fund by statute and not by appropriation; and

(4) eliminate potentially conflicting statutory dividend calculations.

(b) The legislature understands that an amendment to the Constitution of the State of

Alaska is required to enable the dedication of permanent fund income.

* **Sec. 2.** AS 24.65.105(a) is amended to read:

(a) Subject to appropriation, the office of victims' rights is authorized to pay outstanding balances on orders of restitution under AS 12.55.045 or AS 47.12.120. The office of victims' rights shall coordinate and make payments from the restorative justice account (**AS 37.13.410** [AS 43.23.048]) in accordance with the priority in (b) of this section. A crime victim may receive not more than \$10,000 from the restorative justice account, regardless of the amount of the order of restitution.

* **Sec. 3.** AS 24.65.105(c) is amended to read:

(c) The office of victims' rights shall adopt regulations under AS 44.62 (Administrative Procedure Act) to establish a process for payments of restitution balances from the restorative justice account established in **AS 37.13.410** [AS 43.23.048].

* **Sec. 4.** AS 37.13.140 is amended to read:

Sec. 37.13.140. Income. (a) Net income of the fund includes income of the earnings reserve account established under AS 37.13.145. Net income of the fund shall be computed annually as of the last day of the fiscal year in accordance with generally accepted accounting principles, excluding any unrealized gains or losses. [INCOME AVAILABLE FOR DISTRIBUTION EQUALS 21 PERCENT OF THE NET INCOME OF THE FUND FOR THE LAST FIVE FISCAL YEARS, INCLUDING THE FISCAL YEAR JUST ENDED, BUT MAY NOT EXCEED NET INCOME OF THE FUND FOR THE FISCAL YEAR JUST ENDED PLUS THE BALANCE IN THE EARNINGS RESERVE ACCOUNT DESCRIBED IN AS 37.13.145.]

(b) The corporation shall determine the amount available for **distribution** [APPROPRIATION] each year. The amount available for **distribution** [APPROPRIATION] is five percent of the average market value of the fund for the first five of the preceding six fiscal years, including the fiscal year just ended, computed annually for each fiscal year in accordance with generally accepted accounting principles. In this subsection, "average market value of the fund" includes the balance of the earnings reserve account established under AS 37.13.145, but does not include that portion of the principal attributed to the settlement of State v.

Amerada Hess, et al., 1JU-77-847 Civ. (Superior Court, First Judicial District).

* **Sec. 5.** AS 37.13.145(b) is amended to read:

(b) **Each** [AT THE END OF EACH] fiscal year, the corporation shall transfer from the earnings reserve account to the dividend fund established under **AS 37.13.400** [AS 43.23.045], 50 percent of the income available for distribution under **AS 37.13.140(b) for the payment of permanent fund dividends and for administrative and associated costs for the fiscal year. A transfer under this subsection may not exceed the balance of the earnings reserve account** [AS 37.13.140].

* **Sec. 6.** AS 37.13.145(d) is amended to read:

(d) Notwithstanding (b) of this section, income earned on money awarded in or received as a result of State v. Amerada Hess, et al., 1JU-77-847 Civ. (Superior Court, First Judicial District), including settlement, summary judgment, or adjustment to a royalty-in-kind contract that is tied to the outcome of this case, or interest earned on the money, or on the earnings of the money shall be treated in the same manner as other income of the Alaska permanent fund, except that it **may not be included in the computation of the income available for distribution,** is not available for **transfer** [DISTRIBUTION] to the dividend fund [, FOR TRANSFERS TO THE PRINCIPAL] under **(b)** [(c)] of this section [,] or for an appropriation under (e) of this section, and shall be annually deposited into the Alaska capital income fund (AS 37.05.565).

* **Sec. 7.** AS 37.13.145(e) is amended to read:

(e) **Each year, the** [THE] legislature may [NOT] appropriate **an amount** from the earnings reserve account to the general fund [A TOTAL AMOUNT THAT EXCEEDS THE AMOUNT AVAILABLE FOR APPROPRIATION UNDER AS 37.13.140(b) IN A FISCAL YEAR].

* **Sec. 8.** AS 37.13.145(f) is amended to read:

(f) **Each year, the** [THE] combined total of the transfer under (b) of this section and an appropriation under (e) of this section may not exceed **the lesser of**
(1) the amount available for distribution [APPROPRIATION] under AS 37.13.140(b); **or**
(2) the balance of the earnings reserve account.

* **Sec. 9.** AS 37.13.300(c) is amended to read:

(c) Net income from the mental health trust fund may not be included in the computation of the [NET] income [OR MARKET VALUE] available for distribution [OR APPROPRIATION] under AS 37.13.140(b) [AS 37.13.140].

* **Sec. 10.** AS 37.13 is amended by adding new sections to read:

Article 2B. Dividend Fund and Payment.

Sec. 37.13.400. Dividend fund. (a) The dividend fund is established as a separate fund in the corporation. The dividend fund shall be administered by the board and shall be invested by the board in the same manner as the permanent fund under AS 37.13.120.

(b) Unless specified otherwise in an appropriation Act, the unexpended and unobligated balance of an appropriation to implement this chapter lapses into the dividend fund on June 30 of the fiscal year for which the appropriation was made and shall be used to determine the amount of and to pay the dividend for the following year as provided in AS 37.13.420(a).

Sec. 37.13.410. Restorative justice account. (a) The restorative justice account is created as a separate account in the dividend fund. The executive director shall transfer from the dividend fund to the restorative justice account each fiscal year an amount equal to the amount that would have been paid during the previous fiscal year to individuals who were ineligible to receive a permanent fund dividend under AS 43.23.005(d) if the individuals had been eligible.

(b) The legislature may appropriate amounts from the restorative justice account to the following recipients in the priority order and percentages listed:

(1) 10 to 13 percent to the crime victim compensation fund established under AS 18.67.162 for payments to crime victims and for operating costs of the Violent Crimes Compensation Board;

(2) two to six percent to the office of victims' rights for payments to crime victims as provided in AS 24.65.105 and for operating costs of the office of victims' rights;

(3) one to three percent to nonprofit organizations to provide grants for services for crime victims and domestic violence and sexual assault programs;

(4) one to three percent to nonprofit organizations to provide grants for mental health services and substance abuse treatment for offenders; and

(5) 79 to 88 percent to the Department of Corrections for costs related to incarceration or probation.

(c) A person who is subject to an order of restitution, all or part of which is paid under this section, shall reimburse the state for the amount paid by the state. The state may enforce payment of reimbursement under this subsection as if the reimbursement were a civil judgment enforceable by execution.

(d) The legislature may appropriate money received under (c) of this section to the restorative justice account.

(e) Nothing in this section creates a dedicated fund.

Sec. 37.13.420. Payment of dividend. (a) Each year, the corporation shall pay a permanent fund dividend to each eligible individual. The amount of the permanent fund dividend is the amount calculated by the commissioner of revenue under AS 43.23.025. The corporation shall pay the permanent fund dividend by December 31 of each year.

(b) The stub attached to each individual permanent fund dividend disbursement advice must

(1) disclose the amount of each permanent fund dividend attributable to income earned by the Alaska permanent fund from deposits to that fund required under art. IX, sec. 15, Constitution of the State of Alaska;

(2) disclose the amount of each permanent fund dividend attributable to income earned by the Alaska permanent fund from appropriations to that fund and from amounts added to that fund to offset the effects of inflation;

(3) disclose the amount by which each permanent fund dividend has been reduced because of each appropriation from the dividend fund, including amounts to pay the costs of administering the permanent fund dividend program and the hold harmless provisions of AS 43.23.240;

(4) include a statement that an individual is not eligible for a permanent fund dividend when

(A) during the qualifying year, the individual was convicted of

1 a felony;

2 (B) during all or part of the qualifying year, the individual was
3 incarcerated as a result of the conviction of a

4 (i) felony; or

5 (ii) misdemeanor if the individual has been convicted of
6 a prior felony or two or more prior misdemeanors;

7 (5) include a statement that the legislative purpose for making
8 individuals listed under (4) of this subsection ineligible is to

9 (A) provide funds for services for and payments to crime
10 victims and operating costs of the Violent Crimes Compensation Board;

11 (B) provide funds to pay restitution owed to crime victims;

12 (C) provide funds for grants to nonprofit organizations for
13 services for crime victims and for mental health services and substance abuse
14 treatment for offenders;

15 (D) provide funds for the office of victims' rights;

16 (E) provide funds to the Council on Domestic Violence and
17 Sexual Assault for grants for the operation of domestic violence and sexual
18 assault programs; and

19 (F) obtain reimbursement for some of the costs imposed on the
20 Department of Corrections related to incarceration or probation of those
21 individuals;

22 (6) disclose the total amount that would have been paid during the
23 previous fiscal year to individuals who were ineligible to receive a permanent fund
24 dividend under AS 43.23.005(d) if the individuals had been eligible;

25 (7) disclose the total amount transferred or appropriated for the current
26 fiscal year under AS 37.13.410 for each of the accounts, funds, and agencies listed in
27 AS 37.13.410.

28 (c) To the extent that amounts appropriated for a fiscal year do not exceed the
29 total amount that would have been paid during the previous fiscal year to individuals
30 who were ineligible to receive a permanent fund dividend under AS 43.23.005(d) or
31 43.23.021(b) if the individuals had been eligible, the notice requirements of (b)(3) of

1 this section do not apply to transfers from the dividend fund to the restorative justice
2 account (AS 37.13.410).

3 (d) At the direction of the department, the corporation shall delay the payment
4 of a permanent fund dividend in accordance with AS 43.23.021.

5 (e) At the direction of the department,

6 (1) under regulations adopted under AS 43.23.055(8), the corporation
7 shall make a permanent fund dividend disbursement under AS 37.25.050(a)(2);

8 (2) the corporation shall pay a dividend to a personal representative of
9 an estate under AS 43.23.005(h).

10 **Sec. 37.13.430. Contributions, donations, claims.** The board shall transfer
11 from the dividend fund to the

12 (1) department the amounts contributed under AS 43.23.130, amounts
13 claimed under AS 43.23.140 - 43.23.190, and amounts assigned under AS 43.23.200;

14 (2) education endowment fund established under AS 43.23.220
15 amounts of donations and transfers to the dividend raffle fund established under
16 AS 43.23.230.

17 **Sec. 37.13.440. Applicant information confidential.** Information received by
18 the corporation related to the permanent fund dividend program is confidential. The
19 corporation may only release information that is confidential under this section

20 (1) in compliance with a court order;

21 (2) to a banking institution to verify the direct deposit of a permanent
22 fund dividend or correct an error in that deposit.

23 * **Sec. 11.** AS 37.13.900 is amended by adding new paragraphs to read:

24 (4) "department" means the Department of Revenue;

25 (5) "dividend fund" means the fund established by AS 37.13.400;

26 (6) "executive director" means the executive director of the Alaska
27 Permanent Fund Corporation appointed under AS 37.13.100;

28 (7) "permanent fund dividend" means a right to receive a payment
29 from the dividend fund.

30 * **Sec. 12.** AS 43.23.005(h) is amended to read:

31 (h) If an individual who would otherwise have been eligible for a permanent

1 fund dividend dies after applying for the dividend but before the dividend is paid, the
2 department shall **direct the corporation to** pay the dividend to a personal
3 representative of the estate or to a successor claiming personal property under
4 AS 13.16.680. If an individual who would otherwise have been eligible for a dividend
5 and who did not apply for the dividend dies during the application period, a personal
6 representative of the estate or a successor claiming personal property under
7 AS 13.16.680 may apply for and receive the dividend. If an individual who received a
8 dividend for the year immediately before the qualifying year and who would otherwise
9 have been eligible for a dividend dies during the qualifying year after having been a
10 state resident for at least 180 days immediately before the date of death,
11 notwithstanding (a)(1) - (3) and (a)(6) of this section, a personal representative of the
12 estate or a successor claiming personal property under AS 13.16.680 may apply for
13 and receive the dividend. Notwithstanding AS 43.23.011, an application for a dividend
14 may be filed by the personal representative or the successor under this subsection at
15 any time before the end of the application period for the next dividend year.

16 * **Sec. 13.** AS 43.23.021(c) is amended to read:

17 (c) The permanent fund dividend of an individual for whom payment has been
18 delayed, but that remains payable under (b) of this section, is subject to levy,
19 execution, garnishment, attachment, or any other remedy for the collection of debt.
20 The department shall **direct the corporation to** immediately pay that dividend, or the
21 portion of it that has been claimed by a debtor, as provided in AS 43.23.140 -
22 43.23.170.

23 * **Sec. 14.** AS 43.23.021(d) is amended to read:

24 (d) If an individual for whom payment of a permanent fund dividend has been
25 delayed but remains payable under (b) of this section dies before the dividend is paid
26 or payable, the department shall **direct the corporation to** pay the dividend to a
27 personal representative of the individual's estate.

28 * **Sec. 15.** AS 43.23.025(a) is amended to read:

29 (a) By October 1 of each year, the commissioner shall determine the value of
30 each permanent fund dividend for that year by

31 (1) determining the total amount available for dividend payments,

which equals

(A) the amount of income of the Alaska permanent fund transferred to the dividend fund under AS 37.13.145(b) during the current year;

(B) plus the unexpended and unobligated balances of prior fiscal year appropriations that lapse into the dividend fund under AS 37.13.400(b) [AS 43.23.045(d)];

(C) less the amount necessary to pay prior year dividends from the dividend fund in the current year under AS 43.23.005(h), 43.23.021, and 43.23.055(3) and (7);

(D) less the amount necessary to pay dividends from the dividend fund due to eligible applicants who, as determined by the department, filed for a previous year's dividend by the filing deadline but who were not included in a previous year's dividend computation;

(E) less appropriations from the dividend fund during the current year, including amounts to pay costs of administering the dividend program and the hold harmless provisions of AS 43.23.240;

(2) determining the number of individuals eligible to receive a dividend payment for the current year and the number of estates and successors eligible to receive a dividend payment for the current year under AS 43.23.005(h); and

(3) dividing the amount determined under (1) of this subsection by the amount determined under (2) of this subsection.

* **Sec. 16.** AS 43.23.028(a) is amended to read:

(a) By October 1 of each year, the commissioner shall give public notice of the value of each permanent fund dividend for that year and notice of the information required to be disclosed under AS 37.13.420(b)(3) [(3) OF THIS SUBSECTION. IN ADDITION, THE STUB ATTACHED TO EACH INDIVIDUAL DIVIDEND DISBURSEMENT ADVICE MUST

(1) DISCLOSE THE AMOUNT OF EACH DIVIDEND ATTRIBUTABLE TO INCOME EARNED BY THE PERMANENT FUND FROM DEPOSITS TO THAT FUND REQUIRED UNDER ART. IX, SEC. 15, CONSTITUTION OF THE STATE OF ALASKA;

1 (2) DISCLOSE THE AMOUNT OF EACH DIVIDEND
2 ATTRIBUTABLE TO INCOME EARNED BY THE PERMANENT FUND FROM
3 APPROPRIATIONS TO THAT FUND AND FROM AMOUNTS ADDED TO
4 THAT FUND TO OFFSET THE EFFECTS OF INFLATION;

5 (3) DISCLOSE THE AMOUNT BY WHICH EACH DIVIDEND
6 HAS BEEN REDUCED DUE TO EACH APPROPRIATION FROM THE
7 DIVIDEND FUND, INCLUDING AMOUNTS TO PAY THE COSTS OF
8 ADMINISTERING THE DIVIDEND PROGRAM AND THE HOLD HARMLESS
9 PROVISIONS OF AS 43.23.240;

10 (4) INCLUDE A STATEMENT THAT AN INDIVIDUAL IS NOT
11 ELIGIBLE FOR A DIVIDEND WHEN

12 (A) DURING THE QUALIFYING YEAR, THE
13 INDIVIDUAL WAS CONVICTED OF A FELONY;

14 (B) DURING ALL OR PART OF THE QUALIFYING YEAR,
15 THE INDIVIDUAL WAS INCARCERATED AS A RESULT OF THE
16 CONVICTION OF A

17 (i) FELONY; OR

18 (ii) MISDEMEANOR IF THE INDIVIDUAL HAS
19 BEEN CONVICTED OF A PRIOR FELONY OR TWO OR MORE
20 PRIOR MISDEMEANORS;

21 (5) INCLUDE A STATEMENT THAT THE LEGISLATIVE
22 PURPOSE FOR MAKING INDIVIDUALS LISTED UNDER (4) OF THIS
23 SUBSECTION INELIGIBLE IS TO

24 (A) PROVIDE FUNDS FOR SERVICES FOR AND
25 PAYMENTS TO CRIME VICTIMS AND OPERATING COSTS OF THE
26 VIOLENT CRIMES COMPENSATION BOARD;

27 (B) PROVIDE FUNDS TO PAY RESTITUTION OWED TO
28 CRIME VICTIMS;

29 (C) PROVIDE FUNDS FOR GRANTS TO NONPROFIT
30 ORGANIZATIONS FOR SERVICES FOR CRIME VICTIMS AND FOR
31 MENTAL HEALTH SERVICES AND SUBSTANCE ABUSE TREATMENT

FOR OFFENDERS;

(D) PROVIDE FUNDS FOR THE OFFICE OF VICTIMS' RIGHTS;

(E) PROVIDE FUNDS TO THE COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT FOR GRANTS FOR THE OPERATION OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROGRAMS; AND

(F) OBTAIN REIMBURSEMENT FOR SOME OF THE COSTS IMPOSED ON THE DEPARTMENT OF CORRECTIONS RELATED TO INCARCERATION OR PROBATION OF THOSE INDIVIDUALS;

(6) DISCLOSE THE TOTAL AMOUNT THAT WOULD HAVE BEEN PAID DURING THE PREVIOUS FISCAL YEAR TO INDIVIDUALS WHO WERE INELIGIBLE TO RECEIVE DIVIDENDS UNDER AS 43.23.005(d) IF THEY HAD BEEN ELIGIBLE;

(7) DISCLOSE THE TOTAL AMOUNT TRANSFERRED OR APPROPRIATED FOR THE CURRENT FISCAL YEAR UNDER AS 43.23.048 FOR EACH OF THE ACCOUNTS, FUNDS, AND AGENCIES LISTED IN AS 43.23.048].

* Sec. 17. AS 43.23.055 is amended to read:

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

(1) at the request of the corporation, provide the corporation all information necessary for the corporation to distribute funds from the dividend fund established under AS 37.13.400, including the permanent fund dividend, in accordance with the law [ANNUALLY PAY PERMANENT FUND DIVIDENDS FROM THE DIVIDEND FUND];

(2) subject to AS 43.23.011 and (8) of this section, adopt regulations under AS 44.62 (Administrative Procedure Act) that establish procedures and time limits for applying for [CLAIMING] a permanent fund dividend; the department shall determine the number of eligible applicants by October 1 of the year for which the dividend is declared [AND PAY THE DIVIDENDS BY DECEMBER 31 OF THAT

1 YEAR];

2 (3) adopt regulations under AS 44.62 (Administrative Procedure Act)
3 that establish procedures and time limits for an individual upon emancipation or upon
4 reaching majority to apply for permanent fund dividends not received during minority
5 because the parent, guardian, or other authorized representative did not apply on
6 behalf of the individual;

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

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

14 (6) adopt regulations that are necessary to implement AS 43.23.005(d)
15 [AND 43.23.048];

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

20 (8) adopt regulations that establish procedures for an individual to
21 apply to have a dividend disbursement under AS 37.25.050(a)(2) reissued if it is not
22 collected within two years after the date of its issuance; however, the department may
23 not establish a time limit within which an application to have a disbursement reissued
24 must be filed; **the department may, under AS 37.13.420(e), direct the corporation**
25 **to reissue a disbursement under regulations adopted under this paragraph;**

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

31 (A) access to the data base; or

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

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

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

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

(11) adopt regulations under AS 44.62 (Administrative Procedure Act) so that contributions under AS 43.23.130 are given a priority over donations under AS 43.23.230 if the total amount of contributions and donations elected by an applicant exceeds the amount of the permanent fund dividend that the applicant is entitled to receive.

* **Sec. 18.** AS 43.23.110(a) is amended to read:

(a) Except as provided in (c) of this section, information on each permanent fund dividend application, except the applicant's name, is confidential. The department may only release information that is confidential under this section

(1) to a local, state, or federal government agency;

(2) in compliance with a court order;

(3) to the individual who or agency that files an application on behalf of another;

(4) to a banking institution to verify the direct deposit of a permanent fund dividend or correct an error in that deposit;

(5) as directed to do so by the applicant;

(6) to a contractor who has a contract with a person entitled to obtain the information under (1) - (5) of this section to receive, store, or manage the information on that person's behalf; a contractor receiving data under this paragraph may only use the data as directed by and for the purposes of the person entitled to obtain the information;

(7) to the division of elections as required by AS 43.23.101;

(8) to the corporation for the purpose of executing the payment of permanent fund dividends.

* **Sec. 19.** AS 43.23.130(e) is amended to read:

(e) **After receiving funds from the corporation under AS 37.13.430(1), the department** [UNLESS AN APPROPRIATION SPECIFICALLY DIRECTS THAT THE MONEY BE USED FOR COSTS INCURRED IN IMPLEMENTING THIS SECTION, THE DEPARTMENT MAY NOT USE MONEY FROM THE DIVIDEND FUND FOR ADMINISTRATIVE COSTS INCURRED IN IMPLEMENTING THIS SECTION, EVEN IF IT HAS BEEN APPROPRIATED FOR COSTS OF ADMINISTERING THE DIVIDEND PROGRAM. CONTRIBUTIONS] shall **distribute contributions** [BE DISTRIBUTED] to each organization as soon as practicable.

* **Sec. 20.** AS 43.23.295(3) is amended to read:

(3) "dividend fund" means the fund established by **AS 37.13.400** [AS 43.23.045];

* **Sec. 21.** AS 43.23.295 is amended by adding a new paragraph to read:

(9) "corporation" means the Alaska Permanent Fund Corporation, established under AS 37.13.040.

* **Sec. 22.** AS 43.82.230(e)(3) is amended to read:

(3) "Alaska resident" means a natural person who
(A) receives a permanent fund dividend under **AS 37.13 and**
AS 43.23; or
(B) is registered to vote under AS 15 and qualifies for a
resident fishing, hunting, or trapping license under AS 16;

* **Sec. 23.** AS 47.55.020(d) is amended to read:

(d) Notwithstanding AS 47.55.070 and (b) of this section, a resident of a home whose income, assets, and other resources are insufficient to pay the monthly or daily rates set under AS 47.55.030(f) plus charges under AS 47.55.030(b), and who does not have private insurance to cover the cost of care, qualifies for payment assistance if the resident is otherwise in compliance with requirements under this chapter. The amount

of payment assistance equals the amount needed, when added to other income and assets of the resident, to pay the monthly or daily rates set under AS 47.55.030(f) plus charges under AS 47.55.030(b). Payment assistance received by a home resident is a debt to the state. In determining the amount of payment assistance for which a home resident qualifies, the following income, assets, and other resources of the resident shall be disregarded:

(1) income from any source in an amount up to \$300 a month as established by the department by regulation;

(2) the following assets received under 43 U.S.C. 1601 et seq. (Alaska Native Claims Settlement Act):

(A) cash dividends and other income equal to at least \$2,000 as established by the department by regulation;

(B) stock;

(C) noncash dividends from stock; and

(D) land;

(3) a permanent fund dividend issued under AS 37.13 and AS 43.23;

(4) compensation to volunteers under the federal retired and senior volunteers (42 U.S.C. 5001), foster grandparents (42 U.S.C. 5011), and senior companion (42 U.S.C. 5013) programs made in accordance with 42 U.S.C. 5044(f);

(5) federal World War II restitution payments made under 50 U.S.C. App. 1989b-4 and c-5;

(6) payments under AS 18.67 (Violent Crimes Compensation Board);

(7) an amount, determined by the department by regulation, that is sufficient for burial expenses of the resident, the resident's spouse, and dependents of the resident;

(8) real property being used as the primary residence of the resident's spouse or a dependent of the resident;

(9) other real or personal property equal to at least a total value of up to \$10,000 as established by the department by regulation;

(10) federal payments that are excluded by law from income for federal assistance purposes.

1 * **Sec. 24.** AS 43.23.028(b), 43.23.045, and 43.23.048 are repealed.

2 * **Sec. 25.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 TRANSITION. (a) On July 1, 2024, the Department of Administration shall transfer
5 the balance of the

6 (1) dividend fund established under AS 43.23.045 to the dividend fund
7 established under AS 37.13.400; and

8 (2) restorative justice account, established under AS 43.23.048 to the
9 restorative justice account established under AS 37.13.410.

10 (b) At the request of the Alaska Permanent Fund Corporation, the Department of
11 Revenue shall provide information collected before July 1, 2024, necessary for the payment of
12 permanent fund dividends after the effective date of this Act, to the Alaska Permanent Fund
13 Corporation.

14 * **Sec. 26.** This Act takes effect July 1, 2024.