



# LAWS OF ALASKA

1988

**Source**

HCS CSSB 444(Jud) am H

**Chapter No.**

159

**AN ACT**

Relating to eligibility for permanent fund dividends and providing civil penalties for certain conduct involving permanent fund dividends; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 11

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 16, 1988  
Actual Effective Date: January 1, 1989

AN ACT

Relating to eligibility for permanent fund dividends and providing civil penalties for certain conduct involving permanent fund dividends; and providing for an effective date.

\* Section 1. AS 43.23.005(a) is amended to read:

(a) An individual is eligible to receive one permanent fund dividend each year in an amount to be determined under AS 43.23.025 if the individual applies to the department, and if

(1) on the date of application the individual is a state resident; [AND]

(2) the individual was a state resident for a period of at least six consecutive months immediately preceding April 1 of the current dividend year; and

(3) the individual has been physically present in the state at some time during the period beginning July 1 two years before the date of application and ending on the date of application.

\* Sec. 2. AS 43.23.015(b) is amended to read:

(b) The department shall prescribe and furnish an application form for claiming a permanent fund dividend. The application must contain a statement of eligibility and a certification of residency in substantially the following form:

I certify that

( ) I am a state resident on the date of this ap-

1 plication, [AND] I have been a state resident for at  
2 least six months immediately preceding April 1 of the  
3 current dividend year, and I have been physically  
4 present in the State of Alaska at some time during  
5 the period beginning July 1 two years before the  
6 date of application and ending on the date of this  
7 application; or

8 ( ) (name), the individual on whose behalf I am  
9 applying, is a state resident on the date of this  
10 application, [AND] has been a state resident for at  
11 least six months immediately preceding April 1 of  
12 the current dividend year, and has been physically  
13 present in the State of Alaska at some time during  
14 the period beginning July 1 two years before the  
15 date of application and ending on the date of this  
16 application.

17 I understand that a false claim of eligibility  
18 [RESIDENCY] to obtain a permanent fund dividend for  
19 myself or for another is a criminal offense, [AND]  
20 that if convicted I will forfeit future [PERMANENT  
21 FUND] dividends, and that I must repay all [PERMA-  
22 NENT FUND] dividends that have been paid to me. I  
23 understand that if I wilfully misrepresent, exer-  
24 cise gross negligence, or recklessly disregard a  
25 material fact regarding my eligibility for a perma-  
26 nent fund dividend I will forfeit the dividend, be  
27 subject to a civil fine of up to \$5,000, and lose  
28 my eligibility for the next five dividends. I un-  
29 derstand that these penalties are [THIS PENALTY IS]

1 in addition to any criminal penalties imposed.

2  
3 \_\_\_\_\_  
4 (signature of individual,  
5 parent, guardian, or other  
6 authorized representative)

7 \* Sec. 3. AS 43.23.035 is amended by adding a new subsection to read:

8 (c) An individual who, in claiming a permanent fund dividend, or  
9 an individual who, in certifying another person's eligibility, wilful-  
10 ly misrepresents, exercises gross negligence, or recklessly disregards  
11 a material fact pertaining to eligibility forfeits the dividend, is  
12 subject to a civil fine of up to \$5,000, and loses eligibility to  
13 receive the next five dividends following the forfeited dividends.  
14 The commissioner may commence proceedings in court to enforce this  
15 subsection.

16 \* Sec. 4. This Act takes effect January 1, 1989.  
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