

CS FOR SENATE BILL NO. 340(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/10/02

Referred: Rules

Sponsor(s): SENATE RULES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to public notice of information relating to permanent fund dividends,**
2 **and to treatment of permanent fund dividends for purposes of determining eligibility for**
3 **certain benefits; and providing for an effective date."**

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

5 * **Section 1.** AS 43.23.028 is amended by adding a new subsection to read:

6 (c) The notice requirements of (a)(3) of this section do not apply to an
7 appropriation from the dividend fund for medical assistance under AS 47.07 to the
8 extent that the amount appropriated for medical assistance under AS 47.07 for a fiscal
9 year does not exceed the amount that would have been paid during the previous fiscal
10 year to individuals under AS 43.23.075 as that statute read on June 29, 2002.

11 * **Sec. 2.** AS 43.23.075 is amended to read:

12 **Sec. 43.23.075. Eligibility for public assistance. (a) Subject to (b) of this**
13 **section and except for medical assistance under AS 47.07, in [IN] determining the**
14 **eligibility of an individual under a public assistance program administered by the**

1 Department of Health and Social Services in which eligibility for assistance is based
 2 on financial need, the Department of Health and Social Services **shall** [MAY NOT]
 3 consider a permanent fund dividend as income or **a resource** [RESOURCES] received
 4 by the recipient of public assistance or by a member of the recipient's household. **In**
 5 **determining the eligibility of an individual for assistance under AS 47.07, the**
 6 **Department of Health and Social Services may not consider a permanent fund**
 7 **dividend as income or a resource unless required to do so by federal law or**
 8 **regulation** [UNLESS REQUIRED TO DO SO BY FEDERAL LAW OR
 9 REGULATION]. The Department of Health and Social Services shall notify all
 10 recipients of public assistance of the effects of receiving a permanent fund dividend.

11 (b) An individual who is denied [MEDICAL] assistance under **AS 47.07**
 12 **(medical assistance), AS 47.25.430 - 47.25.615 (adult public assistance), or 42**
 13 **U.S.C. 1381 - 1383c (Title XVI, Social Security Act, Supplemental Security**
 14 **Income)** [42 U.S.C. 1396 - 1396p (SOCIAL SECURITY ACT, TITLE XIX)] solely
 15 because of the receipt of a permanent fund dividend by the individual or by a member
 16 of the individual's household is eligible for state-funded [MEDICAL] assistance under
 17 AS 47.25.120 - 47.25.300 (general relief assistance program). The individual is
 18 entitled to receive, for a period not to exceed four months, the same level of
 19 [MEDICAL] assistance as the individual would have received under **AS 47.07**
 20 **(medical assistance), AS 47.25.430 - 47.25.615 (adult public assistance), or 42**
 21 **U.S.C. 1381 - 1383c (Title XVI, Social Security Act, Supplemental Security**
 22 **Income)** [42 U.S.C. 1396 - 1396p (SOCIAL SECURITY ACT, TITLE XIX)] had
 23 there been no permanent fund dividend program.

24 (c) **Subject to (b) of this section, an** [AN] individual who is denied assistance
 25 solely because permanent fund dividends received by the individual or by a member of
 26 the individual's household are counted as income or resources [UNDER FEDERAL
 27 LAW OR REGULATION] is **not** eligible for cash assistance under AS 47.25.120 -
 28 47.25.300 (general relief assistance program). [NOTWITHSTANDING THE LIMIT
 29 IN AS 47.25.130, THE INDIVIDUAL IS ENTITLED TO RECEIVE, FOR A
 30 PERIOD NOT TO EXCEED FOUR MONTHS, THE SAME AMOUNT AS THE
 31 INDIVIDUAL WOULD HAVE RECEIVED UNDER OTHER PUBLIC

1 ASSISTANCE PROGRAMS HAD THERE BEEN NO PERMANENT FUND
2 DIVIDEND PROGRAM.]

3 * **Sec. 3.** AS 43.23.085 is amended to read:

4 **Sec. 43.23.085. Eligibility for state programs.** A program administered by
5 the state or any of its instrumentalities or municipalities, the eligibility for which is
6 based on financial need, **shall treat** [MAY NOT CONSIDER] a permanent fund
7 dividend as income or **a resource** [RESOURCES UNLESS REQUIRED TO DO SO
8 BY FEDERAL LAW OR REGULATION].

9 * **Sec. 4.** This Act takes effect July 1, 2002.