

HOUSE BILL NO. 361

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE EASTMAN

Introduced: 2/21/18

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 paragraph (8) of this section, adopt
11 regulations under AS 44.62 (Administrative Procedure Act) that establish procedures
12 and time limits for claiming a permanent fund dividend; the department shall
13 determine the number of eligible applicants by October 1 of the year for which the
14 dividend is 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 (7) adopt regulations that establish procedures for the parent, guardian,
 14 or other authorized representative of a disabled individual to apply for prior year
 15 permanent fund dividends not received by the disabled individual because no
 16 application was submitted on behalf of the individual;

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

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

27 (A) access to the data base; or

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

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

31 (A) Department of Law in the prosecution of individuals who

1 apply for or obtain a permanent fund dividend in violation of a provision in
2 AS 11, by detecting and investigating those crimes; and

3 (B) commissioner to detect and investigate the claiming or
4 paying of permanent fund dividends that should not have been claimed by or
5 paid to an individual and to impose the penalties and enforcement provisions
6 under AS 43.23.035;

7 **(11) adopt regulations under AS 44.62 (Administrative Procedure**
8 **Act) that establish procedures to allow a person to receive a permanent fund**
9 **dividend in monthly installments.**