

Original Sponsor: Rules/Governor

Offered: 4/20/81
Referred: Finance

1 IN THE HOUSE

BY THE SPECIAL GAS
PIPELINE COMMITTEE

2 CS FOR HOUSE BILL NO. 67 (Gas Pipeline)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for royalty payments to state
7 residents; and providing for an effective date."

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

9 * Section 1. LEGISLATIVE PURPOSE AND FINDINGS. The purposes of this Act
10 are:

- 11 (1) to distribute to all state residents the premium earned from
12 the sale of the state's royalty share of oil held on December 19, 1980; and
13 (2) to share directly with all state residents a portion of the
14 state's income from oil production.

15 * Sec. 2. ROYALTY PAYMENT. (a) An individual who is eligible under (b)
16 of this section is entitled to a royalty payment of \$193.

17 (b) An individual is eligible to receive the royalty payment under (a)
18 of this section if the individual

19 (1) applies to the department for the payment before a date es-
20 tablished by the commissioner by regulation; and

21 (2) is a state resident on the date of the application.

22 (c) A custodian of a minor or incapacitated individual may apply on
23 behalf of the minor or incapacitated individual.

24 (d) An individual or custodian who applies for a royalty payment shall
25 make a statement of eligibility which must be signed by the individual or
26 the custodian of the individual. The commissioner may require an individual
27 or a custodian to provide additional proof of eligibility, including one or
28 more affidavits from other persons having personal knowledge concerning the
29 individual's eligibility.

1 (e) The department shall prescribe and furnish an application form for
2 claiming the royalty payment. The application shall contain a statement of
3 eligibility and a notice to the applicant that a false statement made in the
4 application form is a criminal offense.

5 (f) In addition to any criminal penalties imposed, if an individual is
6 convicted of theft in connection with obtaining a royalty payment or of
7 unsworn falsification for a statement made in a statement of eligibility on
8 his own behalf or on behalf of a minor or incapacitated individual, and the
9 conviction is not reversed, the individual forfeits the royalty payment.

10 (g) If the commissioner determines that a royalty payment should not
11 have been claimed by or paid to an individual, he may use any collection
12 procedures or remedies available under AS 43 to recover a royalty payment
13 which was improperly made.

14 (h) The department may adopt regulations to implement this section.
15 The regulations shall include provisions for establishing application filing
16 deadlines. The regulations may be adopted as emergency regulations under
17 AS 44.62.250 and 44.62.260.

18 (i) In this section,

19 (1) "commissioner" means the commissioner of revenue;

20 (2) "custodian" means a parent or other relative who has custody
21 of a minor or incapacitated person, a guardian appointed by a court, or an
22 official in charge of a public or private agency which has custody of the
23 individual;

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

25 (4) "individual" means a natural person;

26 (5) "state resident" means an individual who is physically present
27 in the state for at least 30 consecutive days with the intent to remain
28 permanently in the state, or an individual who

29 (A) is not physically present in the state;

1 (B) has been present in the state for at least 30 consecutive
2 days with the intent to remain permanently;

3 (C) intends to return to the state;

4 (D) has not established residence in another state; and

5 (E) is absent from the state for any of the following reasons:

6 (i) vocational professional or other special education
7 for which a comparable program was not reasonably available in the
8 state,

9 (ii) postsecondary education,

10 (iii) military service,

11 (iv) medical treatment,

12 (v) service in Congress, or

13 (vi) other reasons which the commissioner may establish
14 by regulation.

15 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
16 070(c).