

Offered: 3/8/84
For Today's Calendar

Original sponsors: Barnes, Hayes,
Bussell, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 575 (Finance) (title am)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to permanent fund dividends for
7 individuals incarcerated after conviction for a
8 felony; and providing for an effective date."

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

10 * Section 1. AS 43.23.005 is amended by adding a new subsection to
11 read:

12 (d) Notwithstanding the provisions of (a) - (c) of this section,
13 an individual who has been convicted of a felony is not eligible for a
14 permanent fund dividend for a year when, during all or part of the
15 eligibility period for that year's dividend, as a result of the con-
16 viction the individual is incarcerated for the felony. An individual
17 incarcerated in accordance with this subsection is considered to be
18 ineligible whether or not the individual has applied for the dividend.

19 * Sec. 2. AS 43.23.025 is amended by adding a new subsection to read:

20 (b) for the purpose of calculating the amount of a permanent
21 fund dividend under (a) of this section an individual who is ineli-
22 gible to receive a dividend under the provisions of AS 43.23.005(d)
23 shall be considered to be an eligible individual.

24 * Sec. 3. AS 43.23.055 is amended to read:

25 Sec. 43.23.055. DUTIES OF THE DEPARTMENT. The department shall

26 (1) annually pay permanent fund dividends from the dividend
27 fund;

28 (2) adopt regulations under the Administrative Procedure
29 Act (AS 44.62) that establish procedures and time limits for claiming

1 a permanent fund dividend; the department shall set the time limit for
2 applications for permanent fund dividends so that the number of eli-
3 gible applicants is determined by December 1 of the year for which the
4 dividend is declared and permanent fund dividends for a year are paid
5 before April 30 of the year following that year;

6 (3) adopt regulations under the Administrative Procedure
7 Act (AS 44.62) that establish procedures and time limits for an indi-
8 vidual upon emancipation or upon reaching majority to apply for perma-
9 nent fund dividends not received during minority because the parent,
10 guardian, or other authorized representative did not apply on behalf
11 of the individual;

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

16 (5) annually determine, in cooperation with the Department
17 of Health and Social Services, the number and identity of individuals
18 ineligible for a permanent fund dividend under AS 43.23.005(d);

19 (6) adopt other regulations that are necessary to implement
20 the provisions of this chapter.

21 * Sec. 4. This Act applies only to eligibility for permanent fund
22 dividends for years after 1983.

23 * Sec. 5. It is the intent of the legislature that an amount approxi-
24 mately equal to the money that would otherwise be paid as permanent fund
25 dividends to individuals ineligible under AS 43.23.005(d), enacted by sec.
26 1 of this Act be appropriated annually from the dividend fund to the crime
27 victim compensation fund (AS 18.67.162), to be used for the purposes stated
28 in AS 18.67.

29 * Sec. 6. This Act takes effect immediately in accordance with

1 AS 01.10.070(c).