

Introduced: 1/13/86
Referred: State Affairs,
Judiciary and Finance

BY PEARCE, UEHLING AND
NAVARRE

1 IN THE HOUSE

2

HOUSE BILL NO. 462

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act permitting payment of a permanent fund dividend into the Alaska permanent fund at the direction of the applicant; and providing for an effective date."

7

8

9

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

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

13

(d) An individual who is eligible for a permanent fund dividend

14

or authorized to claim a dividend on behalf of another under this

15

section may elect to receive the dividend payment or direct that the

16

payment be made into the Alaska permanent fund.

17

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

18

(b) The department shall prescribe and furnish an application

19

form for claiming a permanent fund dividend or directing that the

20

dividend be paid into the Alaska permanent fund. The application must

21

contain a statement of eligibility and a certification of residency in

22

substantially the following form:

23

I certify that

24

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

25

and I have been a state resident for at least six

26

months immediately preceding the date of this appli-

27

cation; or

28

() (name), the individual on whose behalf I am applying,

29

is a state resident and has been a state resident for

1 convicted of a crime in connection with a false statement made in a
2 certification required under AS 43.23.015, and the conviction is not
3 reversed, that individual forfeits all permanent fund dividends paid
4 to the individual and is not eligible to receive [FOR] a future perma-
5 nent fund dividend or direct that it be paid into the Alaska permanent
6 fund.

7 (b) If the commissioner determines that a permanent fund divi-
8 dend should not have been claimed by or paid to an individual, the
9 commissioner may use all collection procedures or remedies available
10 for collection of taxes under this title to recover the payment of a
11 permanent fund dividend that was improperly made to that individual.
12 A notice of an improperly paid dividend must be sent to the individual
13 within 10 years after the improper payment to that individual. If
14 notice is not sent within the 10-year period, proceedings may not be
15 commenced in court for recovery of the improper payment.

16 * Sec. 5. AS 43.23.065 is amended by adding new subsections to read:

17 (b) The department shall refuse to pay the permanent fund divi-
18 dend of an individual into the Alaska permanent fund and shall require
19 that individual to take the dividend in cash if the department re-
20 ceives a levy, execution, garnishment, attachment or other legal
21 remedy for the collection of a past-due debt described in (a)(1) or
22 (2) of this section.

23 (c) The courts of this state may, as a condition of a civil
24 judgment or restitution order under AS 12.55.045 - 12.55.051 or 12.-
25 55.100, require the defendant to take the defendant's permanent fund
26 dividend in cash.

27 * Sec. 6. This Act takes effect immediately in accordance with AS 01.-
28 10.070(c).