

Offered: 4/16/87  
Referred: Judiciary

5-0979B

Original sponsors: Uehling and Faiks

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE  
2 CS FOR SENATE BILL NO. 227 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL  
6 For an Act entitled: "An Act relating to claims of state agencies to  
7 permanent fund dividends."

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

9 \* Section 1. AS 43.23 is amended by adding a new section to read:

10 Sec. 43.23.067. CLAIMS OF STATE AGENCIES. (a) AS 09.38 does  
11 not apply to permanent fund dividends taken to satisfy debts under  
12 AS 43.23.065(b)(4). Notwithstanding AS 09.35, execution on a claim  
13 under AS 43.23.065(b)(4) is accomplished by delivering a certified  
14 claim to the department containing the following information:

15 (1) the name and social security number of the individual  
16 whose dividend is being claimed;

17 (2) the amount the individual owes to the agency; and

18 (3) a statement that

19 (A) the debt has not been contested, or, if contested,  
20 that the issue has been resolved in favor of the agency; and

21 (B) if the debt has been contested and resolved in  
22 favor of the agency, no appeal is pending, the time limit for  
23 filing an appeal has expired, or the appeal has been resolved in  
24 favor of the agency.

25 (b) Upon receipt of a claim under (a) of this section the de-  
26 partment shall notify the individual of the claim. The notice shall  
27 be sent to the address provided in the individual's permanent fund  
28 dividend application and must provide the following information:

29 (1) the identity of the agency that has made the claim;

1 (2) the amount of the claim;  
2 (3) notice that the amount of the permanent fund dividend  
3 that does not exceed the amount of the claim shall be paid to the  
4 agency unless the agency releases the claim or the individual requests  
5 a hearing from the agency making the claim within 10 days after the  
6 date the notice is sent by the department.

7 (c) If a hearing is requested by an individual under (b)(3) of  
8 this section, the agency making the claim shall notify the department.  
9 The agency making the claim is responsible for affording the individ-  
10 ual a hearing on the claim. AS 44.62.330 - 44.62.630 apply to the  
11 hearing. If no notice of a request for a hearing or release of the  
12 claim is received by the department from the agency, the department  
13 shall pay the amount of the permanent fund dividend that does not  
14 exceed the amount of the claim to the agency making the claim.