

Offered: 5/14/87
Referred: Finance

5-0979X

Original sponsors: Uehling and Faiks

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 227 (State Affairs) am H
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) may be 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 on the validity of the claim from the agency making the
6 claim within 30 days after the date the notice is sent by the depart-
7 ment by certified mail.

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