

BY REP. HUDSON

1 IN THE HOUSE

2

HOUSE BILL NO. 380

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to permanent fund dividends for  
7 incompetent individuals; and providing for an effective date."  
8

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

10 \* Section 1. AS 43.23.025(a) is amended to read:

11 (a) By October 1 of each year the commissioner shall give public  
12 notice of the value of each permanent fund dividend for that year.  
13 The public notice shall contain a statement disclosing the amount by  
14 which each individual dividend has been reduced in order to pay the  
15 costs of administering the program and the hold harmless provisions of  
16 AS 43.23.075. The commissioner shall also include the statement on  
17 the stub attached to each individual dividend check. The commissioner  
18 shall determine the value of a permanent fund dividend by

19 (1) determining the total amount available for dividend  
20 payments, which equals

21 (A) the amount of income of the Alaska permanent fund  
22 transferred to the dividend fund under AS 43.23.045(b) during the  
23 current year;

24 (B) plus the unexpended and unobligated balances of  
25 prior fiscal year appropriations that lapse into the dividend  
26 fund under AS 43.23.045(d);

27 (C) less the amount necessary to pay dividends from  
28 the dividend fund in the current year under AS 43.23.055(3) and  
29 (7);

1 (D) less the amount necessary to pay dividends from  
2 the dividend fund due to eligible applicants who, as determined  
3 by the department, filed for a previous year's dividend by the  
4 filing deadline but who were not included in a previous year's  
5 dividend computation;

6 (2) determining the number of individuals eligible to  
7 receive a dividend payment for the current year; and

8 (3) dividing the amount determined under (1) of this sec-  
9 tion by the amount determined under (2) of this section.

10 \* Sec. 2. AS 43.23.055 is amended to read:

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

12 (1) annually pay permanent fund dividends from the dividend  
13 fund;

14 (2) adopt regulations under the Administrative Procedure  
15 Act (AS 44.62) that establish procedures and time limits for claiming  
16 a permanent fund dividend; the department shall set the time limit for  
17 applications for permanent fund dividends so that the number of eligi-  
18 ble applicants is determined by October 1 of the year for which the  
19 dividend is declared and permanent fund dividends for a year are paid  
20 before April 30 of the year following that year;

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

27 (4) assist residents of the state, particularly in rural  
28 areas, who because of language, disability, or inaccessibility to  
29 public transportation need assistance to establish eligibility and to

1 apply for permanent fund dividends;

2 (5) annually determine, in cooperation with the Department  
3 of Corrections, the number and identity of individuals ineligible for  
4 a permanent fund dividend under AS 43.23.005(d); [AND]

5 (6) adopt regulations that are necessary to implement AS  
6 43.23.005(d);

7 (7) adopt regulations that establish procedures for the  
8 parent, guardian, or other authorized representative of an incompetent  
9 individual to apply for prior year permanent fund dividends not re-  
10 ceived by the incompetent individual because no application was sub-  
11 mitted on behalf of the individual.

12 \* Sec. 3. The Act takes effect January 1, 1991.

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