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SENATE AMENDMENT #4

BY PARR

To: CS SENATE BILL No. 842 (Finance)

To: _____ HOUSE BILL No. _____

PAGE: LINE:

Page 1, line 16: Delete "six" and insert "twelve"

Page 3, line 5: Delete "six" and insert "twelve"

Admitted

COMMITTEE REPORT

HOUSE

4/13/82

5/14

(11)

FURTHER:

Rule

Date:

5/12/82

(Engrossment waived.
Certified amendments
attached)

Mr. Speaker:

The Committee on FINANCE has had CSSB 842(Fin) am

"An Act providing for permanent fund dividends; eff date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with ^HCS for CSSB 842(FIN) same title new title
- and recommends without recommendation
- AND attaches a "Letter of Intent" New Fiscal Note (4)
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING

DO PASS

[Signature]

[Signature]

[Signature]

MEMBERS HAVING

OTHER RECOMMENDATIONS:

Naugen - no rec

V.P. [Signature] No Rec.

Jack Fuller No Rec

Montgomery - No Rec

Scott Carter No Rec

[Signature]
CHAIRMAN

A M E N D M E N T

OFFERED IN THE HOUSE:

BY: FULLER

To: _____ HOUSE BILL No. _____

HCS SENATE BILL No. 842(Fir)

PAGE: _____

LINE: _____

Page 18, line 16:

Delete "6, 7, 9, and 13 of this Act"

Insert "6, 7, 9, 13, and 14 of this Act"

Page 19, line 6:

Delete "2 - 5"

Insert "2 - 5 and 14"

Page 19, line 8:

Delete "8, 10 - 12, and 14 - 17"

Insert "8, 10 - 12, and 15 - 17"

Page 19, line 17:

Delete "2 - 5, and 23 - 25"

Insert "2 - 5, 14, 23, and 25"

Page 19, line 28:

Delete "6 - 18, 20, 21, and 26"

Insert "6 - 13, 15 - 18, 20, 21, 24, and 26"

Although my amendment looks long, actually it just makes technical changes in the effective date clauses, correcting an oversight made when the finance version was drawn up. The Rules Committee held a hearing on this bill, at which time these changes along with an amended trigger date were discussed. The package as a whole was not adopted by the committee, but it is important to insert this clean-up language and therefore I move and ask unanimous consent for adoption of the amendment. The representative from Kenai can provide a detailed analysis of the bill.

CSSB 842(Fin) am "An Act providing for permanent fund dividends,
and providing for an effective date."

The proposed amendments are recommended by the people working most closely on the bill: Rep. Malone, Susan Burke of the Attorney General's office, and Clif Groh of Rep. Gardiner's staff. They include technical amendmments on effective dates as well as an earlier trigger date if the Supreme Court has not issued an early decision.

Rep. Malone, Susan Burke and Clif Groh are available to testify and/or answer any questions.



Alaska State Legislature

House of Representatives

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Billy Berrier, Legal Services

FROM: Clifford John Gronhaug Staff

DATE: 18 May 1982

SUBJECT: Rules CS for House CS for CS for SB 842 (Finance)

Please draft a substitute for the Rules Committee for this bill with these amendments:

1. Page 18, line 16:
Delete "6, 7, 9, and 13 of the Act"
Insert "6, 7, 9, 13, and 14 of this Act"
2. Page 19, line 6:
Delete "2 - 5"
Insert "2 - 5 and 14"
3. Page 19, line 8:
Delete "8, 10 - 12, and 14 - 17"
Insert "8, 10 - 12, and 15 - 17"
4. Page 19, line 17:
Delete "2 - 5, and 23 - 25"
Insert "2 - 5, 14, 23, and 25"
5. Page 19, line 28:
Delete "6 - 18, 20, 21, and 26"
Insert "6 - 13, 15 - 18, 20, 21, 24, and 26"
6. Page 20, line 3:
Delete "October 19, 1982,"
Insert "July 15, 1982,"
7. Page 18, line 20:
Delete "October 19, 1982,"
Insert "July 15, 1982,"



Alaska State Legislature

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State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Billy Berrier, Legal Services

FROM: Clifford John Cron *Cliff* Staff

DATE: 18 May 1982

SUBJECT: Rules CS for House CS for CS for SB 842 (Finance)

Please draft a substitute for the Rules Committee for this bill with these amendments:

1. Page 18, line 16:
Delete "6, 7, 9, and 13 of the Act"
Insert "6, 7, 9, 13, and 14 of this Act"
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Delete "2 - 5"
Insert "2 - 5 and 14"
3. Page 19, line 8:
Delete "8, 10 - 12, and 14 - 17"
Insert "8, 10 - 12, and 15 - 17"
4. Page 19, line 17:
Delete "2 - 5, and 23 - 25"
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5. Page 19, line 28:
Delete "6 - 18, 20, 21, and 26"
Insert "6 - 13, 15 - 18, 20, 21, 24, and 26"
6. Page 20, line 3:
Delete "October 19, 1982,"
Insert "July 15, 1982,"
7. Page 18, line 20:
Delete "October 19, 1982,"
Insert "July 15, 1982,"

1 1982, notwithstanding any contrary provisions of AS 43.23 and notwithstanding
2 the fact that those provisions may not be enacted into law before the effective
3 date of this section.

4 (g) Income of the Alaska permanent fund for fiscal year 1982 transferred
5 to the dividend fund may not be used for payment of permanent fund dividends
6 during 1982, but must remain in the dividend fund and be used for payment of
7 permanent fund dividends during 1983 along with the fiscal year 1983 earnings
8 of the Alaska permanent fund transferred to the dividend fund.

9 (h) The permanent fund dividend distribution under this section is in
10 place of any distribution under AS 43.23 for the years 1979 - 1981.

11 * Sec. 20. Section 4, ch. 21, SLA 1980, is repealed.

12 * Sec. 21. AS 43.23.010(d) and 43.23.050(c) are repealed.

13 * Sec. 22. AS 43.23.010, 43.23.014, 43.23.020, 43.23.030, 43.23.040,
14 43.23.050, 43.23.060, 43.23.070, 43.23.080, 43.23.090, and 43.23.100 are re-
15 pealed.

16 * Sec. 23. Sections 6, 7, 9, ^{and 14} _{and} 13 ^{this} of the Act are repealed.

17 * Sec. 24. (a) This section applies only to the determination of the
18 value of a permanent fund dividend to be paid in 1983 and applies only if
19 permanent fund dividends are distributed under sec. 19 of this Act on or
20 after October 19, 1982, and if, after that date, the United States Supreme
21 Court decides that AS 43.23.010 is valid.

22 (b) Notwithstanding any contrary provisions of AS 43.23.030, by
23 December 1, 1982, the commissioner of revenue shall give public notice of the
24 value of each permanent fund dividend to be paid in 1983. The commissioner
25 shall determine that value by

26 (1) determining the amount of income of the Alaska permanent fund
27 for fiscal year 1982 and fiscal year 1983 transferred to the dividend fund
28 under AS 43.23.050(b);

29 (2) determining the number of permanent fund dividends that would

1 have been paid during 1982 if sec. 19 of this Act had not taken effect and an
2 estimate of the number of permanent fund dividends for a prior year under
3 AS 43.23.014; and

4 (3) dividing the amount determined in (1) of this subsection by
5 the amount determined in (2) of this subsection.

6 * Sec. 25. If secs. 2 - 5^{and 14} of this Act take effect under the provisions of
7 sec. 27 of this Act, then all other provisions of AS 43.23, as enacted in
8 ch. 21, SLA 1980 and as amended in secs. 8, 10 - 12, and ^{2, 15}14 - 17 of this Act,
9 remain in effect.

10 * Sec. 26. Notwithstanding the provisions of AS 43.23.014(c), enacted in
11 sec. 6 of this Act, which require an individual to file an application for
12 prior year permanent fund dividends within one year after reaching 18 years
13 of age, an individual may file a claim during 1983 for permanent fund divi-
14 dends for all prior years for which the individual is eligible if that
15 individual has turned 18 years of age on or before the last day for filing an
16 application during 1983.

17 * Sec. 27. Sections 2 - 5, ^{14,} and 23, ^{and} 25 of this Act take effect 60 days
18 after the date that the United States Supreme Court decides that AS 43.23.010
19 is invalid but also decides that AS 43.23.010 would not violate the United
20 States Constitution if the amount of a permanent fund dividend were deter-
21 mined by accumulated years of residency in the state beginning on or after
22 January 1, 1979.

23 * Sec. 28. Sections 1 and 22 of this Act take effect 60 days after the
24 date that the United States Supreme Court decides that AS 43.23.010 is in-
25 valid because the amount of a permanent fund dividend is determined by accu-
26 mulated years of residency in the state whether those years are counted
27 before or after January 1, 1979.

28 * Sec. 29. Sections ^{-13, 15}6 - 18, 20, 21, ^{24, and} ~~25~~ 26 of this Act take effect
29 immediately in accordance with AS 01.10.070(c).

A M E N D M E N T

#1

Offered in the SENATE

By Fischer

TO: CSSB 842(Finance)

Page 7, lines 4 - 8:

Delete all material and insert the following:

Sec. 43.23.085. ELIGIBILITY FOR PUBLIC ASSISTANCE. (a) In determining the eligibility of an individual under a public assistance program administered by the Department of Health and Social Services in which eligibility for assistance is based on financial need, the Department of Health and Social Services may not consider a permanent fund dividend as income or resources for the month the dividend was received by the recipient of public assistance unless required to do so by federal law or regulation. The Department of Health and Social Services shall notify all recipients of public assistance of the effects of receiving a permanent fund dividend.

(b) An individual who is denied medical assistance under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq) solely because of the receipt of a permanent fund dividend is eligible for state-funded medical assistance under the general relief assistance program (AS 47.25.120 - 47.25.300). The individual shall receive the same level of medical assistance as the individual would have received under Title XIX of the federal Social Security Act had there been no permanent fund dividend program.

*Amthl
adv. w. c.*

(c) An individual who is denied assistance because permanent fund dividends are counted as income or resources under federal law or regulation is eligible for cash assistance under the general relief assistance program (AS 47.25.120 - 47.25.300). Notwithstanding the limit in AS 47.25.130, the individual shall receive the same amount as the individual would have received under other public assistance programs had there been no permanent fund dividend program.

Page 11, following line 18:

Insert the following:

* Sec. 8. AS 43.23 is amended by adding a new section to read:

Sec. 43.23.087. ELIGIBILITY FOR PUBLIC ASSISTANCE. (a) In determining the eligibility of an individual under a public assistance program administered by the Department of Health and Social Services and in which eligibility for assistance is based on financial need, the Department of Health and Social Services may not consider a permanent fund dividend as income or resources for the month the dividend was received by the recipient of public assistance unless required to do so by federal law or regulation. The Department of Health and Social Services shall notify all recipients of public assistance of the effects of receiving a permanent fund dividend.

(b) An individual who is denied medical assistance under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq) solely because of the receipt of a permanent fund dividend is eligible for state-funded medical assistance under the general relief assistance

program (AS 47.25.120 - 47.25.300). The individual shall receive the same level of medical assistance as the individual would have received under Title XIX of the federal Social Security Act had there been no permanent fund dividend program.

(c) An individual who is denied assistance because permanent fund dividends are counted as income or resources under federal law or regulation is eligible for cash assistance under the general relief assistance program (AS 47.25.120 - 47.25.300). Notwithstanding the limit in AS 47.25.130, the individual shall receive the same amount as the individual would have received under other public assistance programs had there been no permanent fund dividend program.

Renumber subsequent bill sections.

Page 13, line 23:

Delete "11" and insert "1"

Page 13, line 28:

Delete "9, 10, 12, and 13" and insert "10, 11, 13, and 14"

Page 14, line 1:

Delete "8" and insert "9"

A M E N D M E N T

Offered in the SENATE

By Fischer

TO: CSSB 842 (Finance)

Page 7, following line 8, insert the following:

Sec. 43.23.086. ELIGIBILITY FOR STATE PROGRAMS. No program administered by the state or any of its instrumentalities or municipalities, the eligibility for which is based on financial need, shall consider a permanent fund dividend as income or resources unless required to do so by federal law or regulator.

Page 11, following line 17, insert the following:

* Sec. 8. AS 43.23.080 is repealed and reenacted to read:

Sec. 43.23.080. ELIGIBILITY FOR STATE PROGRAMS. No program administered by the state or any of its instrumentalities or municipalities, the eligibility for which is based on financial need, shall consider a permanent fund dividend as income or resources unless required to do so by federal law or regulation

Renumber subsequent bill sections

W.C.

Page 13, line 23:

Delete "11" and insert "12"

Page 13, line 28:

Delete "9, 10, 12, and 13" and insert "10, 11, 13, and 14"

Page 14, line 1:

Delete "8" and insert "9"

A M E N D M E N T

Offered in the SENATE

By Fischer

TO: CSSB 842 (Finance)

Page 11, following line 17: insert the following:

* Sec. 8. AS 43.23.070 is amended by adding a new subsection to read:

(d) No exemption is available under this section for permanent fund dividends taken to satisfy child support obligations required by court order.

Renumber subsequent bill sections

Page 13, line 23:

Delete "11" and insert "12"

Page 13, line 28:

Delete "9, 10, 12, and 13" and insert "10, 11, 13, and 14"

Page 14, line 1:

Delete "8" and insert "9"

A handwritten signature in black ink, appearing to be "M.C.", is located in the bottom right corner of the page.

Jack

Would you
be willing to
discuss this
(SB 842 - PF DIVIDENDS)
with Susan Burke
& Cliff Groh?

Hugh

^{SB 842}
Hugh - (I'll check - he probably
will if Halford, Malone, Gavelup
recommend it)
Susan Burke ~~is~~ wants to
know if Fuller will accept
a Rule substitute for SB 842 which
fixes up technical problems with EDs
& (maybe) brings in earlier trigger
date. v.2 all agree we don't want any
floor audits. if we can afford them.
Will you talk to Fuller about (1) calendaring
(2) substitute? How are votes going? Cliff