



HOUSE  
COMMITTEE REPORT

5/5

(7)

Date referred: 4/23/86

FURTHER REFERRALS: FINANCE

DATE: \_\_\_\_\_

The JUDICIARY Committee has considered SSB 421

"An Act relating to attachment and assignment of permanent fund dividends; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with HCS SSSB 421 (Gnd)  same title
- new title

and recommends do pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

SIGNING DO PASS:

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SIGNING OTHER RECOMMENDATIONS:

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 \_\_\_\_\_

Chairman

HOUSE  
COMMITTEE REPORT

4/23

(7)

Date referred: 3/24/86

JUDICIARY

FURTHER REFERRALS: FINANCE

DATE: 4/21/86

The STATE AFFAIRS Committee has considered SSSB 421

"An Act relating to attachment and assignment of permanent fund dividends; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with HCS SSSB <sup>421</sup> (SA)  same title
- new title

and recommends Do Pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

SIGNING DO PASS:

Katie Hurley

Chad B. Pender

Butler Cato

Ronnie Jenkins

W. M. McIlwain

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

SIGNING OTHER RECOMMENDATIONS:

Virginia M. Adams

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

Katie Hurley

Chairman

Offered: 5/5/86  
Referred: Rules

*Cook*

Original sponsors: P.Fischer and DeVries

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

10 \* Section 1. AS 43.23.065 is amended by adding new subsections to read:

11 (b) AS 09.38 does not apply to permanent fund dividends taken to  
12 satisfy debts under (a)(1) - (3) of this section.

13 (c) A voluntary assignment of a permanent fund dividend to  
14 satisfy a debt of a type listed under (a)(1) - (3) of this section  
15 shall be granted the priority provided for under (a) of this section  
16 in the same manner as an involuntary attachment.

17 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
18 10.070(c).

Cook

Offered: 4/23/86  
Referred: Judiciary and  
Finance

Original sponsors: P.Fischer and DeVries

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE  
2 HOUSE CS FOR SPONSOR SUESTITUTE FOR SENATE BILL NO. 421 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to the use of permanent fund divi-  
7 dends to satisfy certain debts; and providing for an  
8 effective date."

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

10 \* Section 1. AS 43.23.065 is amended by adding new subsections to read:

11 (b) AS 09.38 does not apply to permanent fund dividends taken to  
12 satisfy debts under (a)(1) - (3) of this section.

13 (c) Notwithstanding AS 09.35, execution on a debt of a type  
14 listed under (a)(1) - (3) of this section is accomplished by serving a  
15 certified copy of the judgment on the commissioner.

16 (d) A voluntary assignment of a permanent fund dividend to  
17 satisfy a debt of a type listed under (a)(1) - (3) of this section  
18 shall be granted the priority provided for under (a) of this section  
19 in the same manner as an involuntary attachment.

20 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
21 10.070(c).

Introduced: 2/28/86  
Referred: Judiciary and  
Finance

BY P. FISCHER  
AND DEVRIES

1 IN THE SENATE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to attachment and assignment of  
7 permanent fund dividends; and providing for an  
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17 satisfy a debt of a type listed under (a)(1) - (3) of this section  
18 shall be granted the priority provided for under (a) of this section  
19 in the same manner as an involuntary attachment.

20 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
21 10.070(c).

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No: SSSB 421  
 Title: An act relating to attachment and assignment of Permanent Fund Dividends  
 Sponsor: P. Fischer and DeVries  
 Requestor: Senate Judiciary  
 Date of Request: 3/3/86

FISCAL DETAIL

Agency Affected: Revenue  
 BRU: Permanent Fund Dividend  
 Components: Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
<b>OPERATING</b>						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
<b>TOTAL OPERATING</b>	-	*	*	*	*	*
<b>CAPITAL</b>	-	-	-	-	-	-
<b>REVENUE</b>	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
<b>TOTAL</b>	-	*	*	*	*	*

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	*	*	*	*
TEMPORARY	-	-	-	-	-	-

ANALYSIS: Attach a separate page if necessary

\*The Department of Revenue does not understand this bill. The Commissioner of Revenue has sought clarification from the Attorney General. When that clarification is received, a fiscal note will be prepared.

Prepared By: Ervin B. Jones  
 Division: Administrative Services

Phone: 465-2313  
 Date: 3/3/86

Approved by Commissioner: [Signature]  
 Agency: Revenue

Date: 3/20/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : SSSB 421  
 Title : Act relating to attachment  
and assignment of permanent fund  
dividends  
 Sponsor : Senator P. Fischer  
 Requestor : \_\_\_\_\_  
 Date of Request : \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected : All  
 BRU : \_\_\_\_\_  
 \_\_\_\_\_  
 Components : \_\_\_\_\_  
 \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

<b>CAPITAL</b>	0	0	0	0	0	0
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<b>REVENUE</b>	0	0	0	0	0	0
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS :**

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

Prepared by : \_\_\_\_\_  
 Division : Senator Jan Faiks, Co-chairman  
Senate Finance Committee

Phone : 465-4523  
 Date : 3/20/85

Approved by Commissioner : \_\_\_\_\_  
 Agency : \_\_\_\_\_

Date : \_\_\_\_\_

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

4/23  
STATE OF ALASKA  
THE LEGISLATURE

POUCH V STATE CAPITAL  
JUNEAU ALASKA 998  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 6, 1986

SUBJECT: Permanent Fund Dividends  
(SSSB 421)

TO: Representative Katie Hurley, Chair  
House State Affairs Committee

FROM: Tamara Brandt Cook  
Director  
Division of Legal Services

A bill relating to permanent fund dividends has been referred to your committee, SSSB 421. I wish to alert you to the fact that the title to the bill is defective in that it does not adequately reflect the subject of the bill as required under Article II, Section 13 of the state constitution. AS 09.38, dealt with under AS 43.23.065(b) in the bill, is a chapter relating to exemptions for certain property from levy, attachment and execution to satisfy debts. As such, it deals with more than attachment, which is all that is reflected in the title. AS 43.23.065(c) added in Section 1 of the bill deals with execution, which is distinct from attachment.

A better title for SSSB 421 would be "An Act relating to the use of permanent fund dividends to satisfy certain debts; and providing for an effective date." Under Rule 24(c) of the Uniform Rules a committee of the second house is prohibited from amending a bill in a way that will require a title change, except that the committee may make a clerical or technical change to the title. Correcting the title problem contained in SSSB 421 is the type of technical change which can be accomplished by a committee of the second house pursuant to the rule. Therefore, I recommend that the State Affairs Committee consider reporting out a committee substitute for SSSB 421 correcting the title.

If I can be of any assistance to the committee in dealing with this bill, please let me know.

TBC:mkr  
m4/090

SA  
Jnd  
Fm

ALASKA STATE LEGISLATURE

14th.. Legislature .. 2nd.. Session

SPONSOR SUBSTITUTE  
SENATE BILL..... NO. ...421.

By P. FISCHER AND DEVRIES

"An Act relating to attachment and assignment of permanent fund dividends; and providing for an effective date."

Introduced in the Senate .. 2/28... 1986.

HISTORY IN THE SENATE

19 86 Read first time and referred to Committee on  
2 28 Judiciary & Finance  
3 12 Reported back with *Jul* recommendation that *4 do*  
3 20 *pass to the*  
*to pull*  
3 21 *Calendar*  
3 21 Read second time and  
3 21 Read third time and  
3 21 **PASS** *ed* Effective Date  
Yeas - 15 Yeas *same*  
Nays - 0 Nays  
Absent - 0 Absent  
Excused - 5 Excused  
Reconsideration  
PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused  
3 21 Reported correctly engrossed  
3 21 Signed by President  
21 Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 86 Read first time and referred to Committee on  
*mar 24* *state affairs, Judiciary*  
*Finance*  
Reported back with recommendation that  
Read second time and  
Read third time and  
PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused  
Reconsideration  
PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused  
Reported correctly engrossed  
Signed by Speaker  
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Received from House  
To enrolling  
Reported correctly enrolled  
Sent to Governor  
..... by Governor  
Filed with Lt. Governor  
Chapter No. ....

Offered: 5/5/86  
Referred: Rules

Original sponsors: P.Fischer and DeVries

1 IN THE SENATE BY THE JUDICIARY COMMITTEE  
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Offered: 4/23/86  
Referred: Judiciary and  
Finance

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Introduced: 2/28/86  
Referred: Judiciary and  
Finance

BY P. FISCHER  
AND DEVRIES

1 IN THE SENATE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 421  
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