

H B

4 9 9

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-463-3800

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary

3/26/86

1:30 pm

**HOUSE
COMMITTEE REPORT**

(7)

Date referred: 3/14/86

FURTHER REFERRALS:

DATE: _____

The JUDICIARY Committee has considered SSHB 499

"An Act relating to a decedent's estate; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CSSSHB 499 (JUD) same title
 new title

and recommends _____

further referral to the _____ Committee

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

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Chairman

Original sponsor: Rulee/Governor

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 499 (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 giving priority to payment of past due child
7 support from a decedent's estate."

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

9 * Section 1. AS 13.16.470(a) is amended to read:

10 (a) If the applicable assets of the estate are insufficient to
11 pay all claims in full, the personal representative shall make payment
12 in the following order:

13 (1) costs and expenses of administration;

14 (2) reasonable funeral expenses;

15 (3) debts and taxes with preference under federal law and
16 past due child support payments, except payments required under
17 AS 47.23.120 - 47.23.130;

18 (4) reasonable and necessary medical and hospital expenses
19 of the last illness of the decedent, including compensation of persons
20 attending the decedent;

21 (5) debts and taxes with preference under other laws of
22 this state;

23 (6) all other claims.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : _____
 Title : On Decedents' Estates

Sponsor : Alaska Women's Commission
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : H&SS
 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						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Michael L. Price, Director *Frank Heide, acting* Phone : 465-3170
 Division : Family & Youth Services Date : 12/31/85

Approved by Commissioner : John R. Pugh *John R. Pugh* Date : 1/2/86
 Agency : Health & Social Services

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. : 377-005-36
 Title : Decedent's Estate

 Sponsor : _____
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : AK Women's Commission
 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						
TOTAL OPERATING	<u>0</u>					
CAPITAL						
REVENUE	<u>0</u>					

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

RECEIVED
DEC 23 1985

ALASKA WOMEN'S
COMMISSION

Prepared by : _____ Phone : _____
 Division : _____ Date : _____
 Approved by Commissioner : _____ Date : _____
 Agency : _____

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: SS HB 499
 Title: An Act relating to a decedent's estate...

Sponsor: Governor
 Requestor: House Judiciary
 Date of Request: 3/22/86

FISCAL DETAIL

Agency Affected: Revenue
 BRU: Child Support Enforcement Division

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Prepared By: Holli Ploog
 Division: Child Support Enforcement Division

Phone: 276-3441
 Date: March 24, 1986

Approved by Commissioner: [Signature]
 Agency: Department of Revenue

Date: March 24, 1986

Distribution (by Agency preparing fiscal note):

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

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 22, 1986

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Grussendorf:

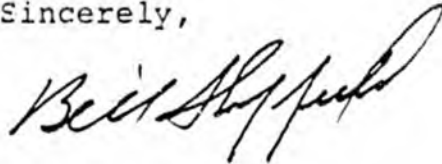
Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the treatment of decedents' estates.

Section 1 of the bill raises the amount of the augmented estate which a surviving spouse may elect to take instead of the amount provided by the deceased spouse in his or her will. The augmented estate includes the probate estate, minus all family and homestead allowances and creditors' claims, plus the value of certain property transferred by the deceased during marriage and the value of property owned by the surviving spouse. Under present law, the surviving spouse may elect to take one-third of the augmented estate; this bill raises this elective share to one-half.

Section 2 of the bill adds a new paragraph to AS 13.16.-470(a), to provide that past due child support payments will be given the highest priority among creditors of a decedent's estate. In this way, after the various homestead and family allowances are taken from the estate under AS 13.11.125 -- 13.11.135, past-due child support payments will be paid next.

This bill was recommended by the Alaska Women's Commission as a result of the commission's review of Alaska statutes for sex discrimination. The bill is designed to correct inequities in the probate laws of this state, and I urge your support of it.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Sheffield".

Bill Sheffield
Governor