

COMMITTEE REPORT  
SENATE

FURTHER:

Date \_\_\_\_\_

Mr. President

The Committee on \_\_\_\_\_ considered \_\_\_\_\_

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman recommendation

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date

REQUEST

Bill/Resolution No: CSSB 169 (Jud)  
 Title: An Act limiting the exemption of permanent fund dividends from orders for the collection of debt  
 Sponsor: Senate Judiciary Committee  
 Requestor: Senate Finance Committee

FISCAL DETAIL

Agency Affected: Revenue  
 Program Category Affected: General Government  
 BRU, Program of Subprogram(s) Affected: Enforcement and PFD - Enforcement  
 Date of Request: March 28, 1985

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<u>OPERATING</u>						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
<u>TOTAL OPERATING</u>	-	-0-	-0-	-0-	-0-	-0-
<u>CAPITAL</u>	-	-	-	-	-	-
<u>REVENUE</u>	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: Please see attached analysis.

Prepared By: Thomas C. Williams  
 Division: Enforcement

Phone: 465-2366  
 Date: March 28, 1985

Approved by Commissioner: [Signature]  
 Agency: Revenue

Date: 3/29/85

Distribution (by Agency preparing fiscal note):

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

ALASKA DEPARTMENT OF REVENUE  
ANALYSIS OF CSSB 169 (Jud)  
March 28, 1985

The Judiciary Committee substitute gives child support obligations preference over attachments resulting from court ordered restitution and gives court ordered restitution preference over other state debts irrespective of when the attachments were served. By allowing this preference for court ordered restitution, collection of other delinquent state debts such as delinquent taxes, may be diminished. However the expected impact is minimal.

This legislation does not establish a preference of state attachment over non-state attachments. The general provision of the UCC (first in time, first in right) still applies when determining priority between state and non-state attachments.

Offered: 3/27/85  
Referred: Finance

Original sponsor: Ziegler by request

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2

CS FOR SENATE BILL NO. 169 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act limiting the exemption of permanent fund

7

dividends from orders for the collection of debt."

8

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

9

\* Section 1. AS 43.23.065 is amended to read:

10

Sec. 43.23.065. EXEMPTION OF PERMANENT FUND DIVIDENDS. Fifty

11

percent of the annual permanent fund dividend payable to an individual

12

is exempt from levy, execution, garnishment, attachment, or any other

13

remedy for the collection of debt. This exemption applies to an

14

eligible individual's permanent fund dividend both before and after

15

payment is made to the individual. An exemption is not available

16

under this section for permanent fund dividends taken to satisfy (1)

17

child support obligations required by court order or decision of the

18

child support enforcement agency under AS 47.23.140 - 47.23.220; (2) a

19

debt owed by an eligible individual to an agency of the state, unless

20

the debt is contested and an appeal is pending, or the time limit for

21

filing an appeal has not expired; or (3) court ordered restitution

22

under AS 12.55.045 - 12.55.051 or 12.55.100. A child support obliga-

23

tion under (1) of this section has priority over a debt owed to an

24

agency of the state or court ordered restitution, and a permanent fund

25

dividend may not be taken to satisfy a debt under (2) of this section

26

until any portion of the dividend necessary to satisfy a child support

27

obligation and court ordered restitution has been taken.

STATE

FY 1985  
FISCAL YEAR

SESSION

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

REQUEST

Bill/Resolution No: SB 169  
Title: An Act limiting the exceptions of permanent fund dividends from orders for the collection of debts  
Sponsor: Ziegler  
Requestor: Senate Judiciary Committee

FISCAL DETAIL

Agency Affected: Revenue  
Program Category Affected: General Government  
BRU, Program of Subprogram(s) Affected: Permanent Fund Dividend - Enforcement  
Date of Request: February 23, 1985

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<u>OPERATING</u>						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
<u>TOTAL OPERATING</u>	-	-0-	-0-	-0-	-0-	-0-
<u>CAPITAL</u>	-	-	-	-	-	-
<u>REVENUE</u>	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: None necessary.

Prepared By: Thomas C. Williams  
Division: Enforcement

Phone: 465-2366  
Date: March 1, 1985

Approved by Commissioner: [Signature]  
Agency: Revenue

Date: 3/7/85

Distribution (by Agency preparing fiscal note):

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

ANALYSIS FOR SENATE BILL 169

An Act limiting the exemption of permanent fund dividends from orders for the collection of debt

This bill amends that section of the statutes which stipulate that 50% of an individuals permanent fund dividend is exempt from levy, execution, garnishment, attachment or any other remedy for the collection of debt. Under current law, that exemption is valid unless the debt is for child support payments or money owed to the state. This bill adds a third condition which is court ordered restitution.

There is no fiscal impact.

Introduced: 2/21/85  
Referred: Judiciary  
and Finance

1 IN THE SENATE

BY ZIEGLER BY REQUEST

2

SENATE BILL NO. 169

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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support enforcement agency under AS 47.23.140 - 47.23.220; (2) a debt

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owed by an eligible individual to an agency of the state, unless the

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agency of the state, and a permanent fund dividend may not be taken to

25

satisfy a debt under (2) of this section until any portion of the

26

dividend necessary to satisfy a child support obligation has been

27

taken.