

**HB**

**392**

**SFIN**

**FILE**



# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. SCS CS HB 392 (FIN)

Revision Date:		Dept. Affected:	Revenue
Title:	<u>Permanent Fund Dividend Program</u>	BRU:	<u>Permanent Fund Dividend</u>
Sponsor:	<u>Representatives PARNELL, Mulder</u>	Component:	<u>Permanent Fund Dividend</u>
Requestor:	<u>Senate Rules Committee</u>	COMPONENT SERIAL NO.	<u>981</u>

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>REVENUE FUND SOURCE:</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ -0-

ANALYSIS:

None.

Prepared by:	<u>Thomas C. Williams</u>	Phone: <u>465-2323</u>
Division:	<u>Permanent Fund Dividend</u>	Date: <u>04-28-94</u>
Approved by Commissioner:	<u>[Signature]</u>	Date: <u>4/28/94</u>
Agency:	<u>Department of Revenue</u>	

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STATE OF ALASKA  
1994 LEGISLATIVE SESSION

FISCAL NOTE

BILL NO.: SCS CSHB 392(FIN) am

Revision Date:	_____	Dept. Affected:	Corrections
Title:	PFD Program	BRU:	All
Sponsor:	Rep. Pamell	Component:	All
Requestor:	S. FIN	Component Serial #:	694-1884

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXP.	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXP	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGES IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

1602 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY94) cost \$ 0.0

POSITIONS

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

ANALYSIS:

Prepared by: Diane Schenker, Special Assistant  
 Division: Office of the Commissioner  
 Approved by: J. Frank Prewitt, Jr., Commissioner  
 Agency: Department of Corrections

Phone: 465-4643/786-2147  
 Date: 4/27/94  
 Date: 4/27/94  
 Page 1 of 1

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. SCS CSHB 392 (FIN)

Revision Date: \_\_\_\_\_  
Title: Permanent Fund Dividend Program

Dept. Affected: Alaska Court System  
BRU: Trial Courts

Sponsor: Rep. Pamell  
Requestor: \_\_\_\_\_

Components: \_\_\_\_\_  
COMPONENT SERIAL NO. 768

### EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING						

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

### FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL						

### POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 94) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)  
\* - see attached analysis.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 264-8228  
Agency: Alaska Court System Date: 04/28/94

Approved by: Arthur H. Snowden, III, Administrative Director *AS* *CSC* Date: 04/28/94  
Agency: Alaska Court System

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ALASKA COURT SYSTEM  
SCS CSHB 392 (FIN)  
FISCAL ANALYSIS

AS 43.23.005(d) provides that a person who is convicted of a felony is ineligible for a permanent fund dividend for a year when, during all or a part of the previous calendar year, the person is incarcerated. SCS CSHB 392 (FIN) amends this to provide that a person convicted of a felony is ineligible for a dividend during the following year, whether or not the person is incarcerated. It further provides that a person convicted of a misdemeanor is ineligible for a permanent fund dividend for a year when, during all or part of the previous calendar year, the person is incarcerated. The list of ineligible persons would be compiled by the Department of Revenue, working with the Department of Corrections and the Department of Public Safety.

SCS CSHB 392 (FIN) further provides that monies which would otherwise be paid to felons and misdemeanants may be appropriated to the court system. The court system will not be submitting requests to the legislature for appropriations from that fund, because of the conflict of interest that would be perceived if judges' sentencing practices had a direct effect on the court system's operating budget.

Minor changes in criminal law or procedure often have a significant impact on the trial rate. For example, felony trial rates doubled during the first year following the attorney general's ban on plea bargaining, and tripled during the second year. Similarly, trial rates increased following the enactment of presumptive sentencing laws. As a general rule, there is a direct relationship between the trial rate for a particular crime and the size or the certainty of a penalty for that crime. For example, crimes with a mandatory minimum penalty or presumptive sentence generally have a higher trial rate than do crimes of the same class without a minimum or presumptive penalty. SCS CSHB 392 (FIN) may increase misdemeanor trial rates by raising the penalty. A defendant who is willing to plead guilty to a crime for which the likely sentence is a \$100 fine and a day or two in jail may demand a trial if the penalty also includes loss of a dividend. Because any increase in trial rates is speculative, this note does not reflect the costs that would be incurred. If trial rates do increase significantly, the court system will need to request additional funds at a later time.

Amendments

ALASKA DEPARTMENT OF REVENUE  
PERMANENT FUND DIVIDEND DIVISION  
**SUGGESTED LANGUAGE FOR SENATE FINANCE COMMITTEE**  
**AMENDMENT #1 TO CS HB 392 (FIN) am**

As of April 27, 1994

4/27/94  
S.E.  
Movel  
Adopted

***Amend Section 5 by deleting the following language in lines 8 - 10 on page 3:***

..... [IF THE COMMISSION INFORMS THE DEPARTMENT THAT THERE IS NO COMPARABLE TECHNICAL TRAINING REASONABLY AVAILABLE IN THE STATE];

***Amend Section 5 by deleting the following language in lines 14 - 15 on page 3:***

..... [IF THE COMMISSION INFORMS THE DEPARTMENT THAT THERE IS NO COMPARABLE PROGRAM REASONABLY AVAILABLE IN THE STATE];

***Amend Section 5 by deleting the following language in lines 19 - 21 on page 3:***

..... [, AND IF THE COMMISSIONER OF EDUCATION INFORMS THE DEPARTMENT THAT THERE IS NO COMPARABLE SPECIAL EDUCATION PROGRAM REASONABLY AVAILABLE IN THE STATE];

SENATE FINANCE  
COMMITTEE  
Amendment Number: 3  
Bill Number: HB 392  
Sponsor: \_\_\_\_\_ Date: 4/27/94  
Logged In By: (Signature)

ALASKA DEPARTMENT OF REVENUE  
PERMANENT FUND DIVIDEND DIVISION  
SUGGESTED LANGUAGE FOR SENATE FINANCE COMMITTEE  
AMENDMENT #2 TO CS HB 392 (FIN) am

As of April 26, 1994

*Tom  
William's*

of money owed to the municipality; *uncor*

(11) to a municipality, <sup>^</sup>a state, or the federal government,

(A) information to which an applicant has authorized access as a condition of qualification for or participation in a government program;

(B) information for use in a criminal investigation by the requesting government if the department receives a request from the municipal, state, or federal government;

(12) to the United States Department of Treasury, Internal Revenue Service, information for use in the collection of money owed to the federal government and tax compliance investigations by the Internal Revenue Service;

(13) to the United States Selective Service System, the names, mailing addresses, birth dates, and social security numbers of all current dividend year ~~male~~ applicants between 17 and 28 years old for determining compliance with federal selective service laws;

*TK  
Delete  
Adopted  
Amend  
#4*

ALASKA DEPARTMENT OF REVENUE  
PERMANENT FUND DIVIDEND DIVISION  
**SUGGESTED LANGUAGE FOR SENATE FINANCE COMMITTEE**

**AMENDMENT #2 TO CS HB 392 (FIN)** SENATE FINANCE

As of April 26, 1994

COMMITTEE

Amendment Number: 2

Bill Number: HB 392

Sponsor: \_\_\_\_\_

Logged In By: RM

4/27/94  
Adopted  
as  
amended  
p 3

Date: 4/27/94

***Amend Section 15, lines 6 - 15 on page 9 as follows:***

Sec 43.23.089. RELEASE OF INFORMATION. (a) Except to the extent required under AS 24.20.271 and AS 24.55.160 - 24.55.170, required for the administration of the permanent fund dividend program and as provided in this section, information related to an individual's application or dividend, including a dividend eligibility determination made by the department, is confidential. Except as provided in (e) of this section, the department shall provide information related to an individual's application or dividend to that individual upon the request of that individual. Notwithstanding the fact that information may not be subject to public inspection under AS 90.25.110 - 90.25.140, with respect to information related to an individual's application or dividend, the department shall comply with AS 44.99.300 - 44.99.350.

***Amend Section 15, lines 21-25 on page 9 as follows:***

(2) to the federal court system for use in developing a jury list and to the state court system for use in developing a jury list under AS 09.20.050, the names, mailing addresses, [AND] birth dates and social security numbers of applicants who are United States citizens 18 years old or older [WHO HAVE NOT BEEN IDENTIFIED BY THE DEPARTMENT OF CORRECTIONS AS MEETING THE CRITERIA OF AS 43.23.005(D)];

***Amend Section 15 by replacing lines 29 - 31 on page 9 with:***

(4) to the Alaska Commission on Postsecondary Education, information for use in the collection of money owed to the commission, and for use in eligibility determinations by the commission;

(5) to the Department of Administration, information for use in confirming eligibility for the Longevity Bonus program and compliance with state employment requirements and claims;

(6) to the Department of Health and Social Services, the names, mailing

4/27/94

4/27/94  
Adopted

Conceptual Amendment  
to extend beyond one  
yr only

8-LS0735X.1  
Cook  
4/20/94

AMENDMENT

OFFERED IN THE SENATE  
TO: CSHB 392(FIN) am

BY SENATOR FRANK

Page 1, after line 4:

Insert a new bill section to read:

"\* Section 1. PURPOSES. The purposes of the amendments made to AS 43.23.005(d) and 43.23.028(b) in this Act are to obtain

(1) a source of additional funding for the state agencies listed in AS 43.23.028(b); and

(2) full or partial reimbursement from individual's convicted of a felony or misdemeanor for costs imposed on the state criminal justice system related to convictions and incarcerations."

Page 1, line 5:

Delete "\* Section 1."

Insert "\* Sec. 2."

SENATE FINANCE  
COMMITTEE  
Amendment Number: ①  
Bill Number: HB 392  
Sponsor: \_\_\_\_\_ Date: 4/26/94  
Logged In By: BM

Renumber the following bill sections accordingly.

Page 2, lines 28 - 31:

Delete "who has been convicted of a felony is not eligible for a permanent fund dividend for a year when, during all or part of the previous calendar year, as a result of the conviction, the individual is incarcerated. This subsection does not apply if the felony conviction is reversed. An action taken under AS 12.55.085 - 12.55.110"

Insert "[WHO HAS BEEN CONVICTED OF A FELONY] is not eligible for a permanent fund dividend for a dividend year when (1) during the calendar year immediately preceding that dividend year the individual was convicted of a felony; or (2) [,] during all or part of the [PREVIOUS] calendar year immediately preceding that

dividend year, as a result of the conviction of a felony or misdemeanor, the individual was [IS] incarcerated. This subsection does not apply if the conviction is reversed. An action taken under AS 12.55.085 - 12.55.110"

Page 5, after line 18:

Insert a new bill section to read:

"\* Sec. 8. AS 43.23.028(b) is amended to read:

(b) The notice requirements of (a) of this section do not apply to appropriations from the dividend fund to the crime victim compensation fund established under AS 18.67.162, to the council on domestic violence and sexual assault established under AS 18.66.010, to the court system, or to the Department of Corrections to the extent that amounts appropriated for a fiscal year do not exceed the total amount that would have been paid during that same [THE PREVIOUS] fiscal year to individuals who are ineligible to receive dividends under AS 43.23.005(d) if they had been eligible."

Renumber the following bill sections accordingly.

Page 7, lines 2 - 4:

Delete

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

Insert.

"(5) use a list of individuals ineligible for a dividend under AS 43.23.005(d) provided annually by [ANNUALLY DETERMINE, IN COOPERATION WITH] the Department of Corrections and the Department of Public Safety to determine [,] the number and identity of those individuals [INELIGIBLE FOR A PERMANENT FUND DIVIDEND UNDER AS 43.23.005(d)];"

Page 12, after line 6:

Insert a new bill section to read:

"\* Sec. 20. Notwithstanding the amendment to AS 43.23.005(d) made in sec. 5 of this Act, for purposes of determining eligibility for 1995 dividends, AS 43.23.005(d) shall be applied as though it had not been amended by this Act."

Renumber the following bill sections accordingly.

Page 12, line 7:

Delete "1 - 3, 5, 6, 10 - 14, and 16"

Insert "2 - 4, 6 - 8, 12 - 16, and 18"

Page 12, line 9:

Delete "1 - 3, 5, 6, and 8 - 18"

Insert "1 - 4, 6 - 8, 10 - 19, and 21"

Page 12, line 11:

Delete "4 and 7"

Insert "5, 9, and 20"

4/27/94  
Amend to  
Amend #2  
8-LS0735X.3 ✓  
Cook  
4/27/94  
Adopted

AMENDMENT

OFFERED IN THE SENATE

TO: CSHB 392(FIN) am

Page 10, after line 28:

Insert a new subsection to read:

"(g) Information that the department is authorized to release under this section only for specified uses may not be released until the department obtains a written agreement executed by the requestor. The agreement must contain

- (1) notice that the information is confidential;
- (2) a summary of the provisions of AS 11.56.860;
- (3) a list of the uses that may be made of the information; and
- (4) a statement by the requestor agreeing to use the information only

for the purposes listed."

4/27/94 Amend #1  
Containing Conceptual  
Amend approved by  
Sen. Frank's office.

8-LS0735X.4  
Cook  
4/27/94

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR FRANK

TO: CSHB 392(FIN) am

Page 1, after line 4:

Insert a new bill section to read:

"\* Section 1. PURPOSES. The purposes of the amendments made to AS 43.23.005(d) and 43.23.028(b) in this Act are to obtain

(1) a source of additional funding for the state agencies listed in AS 43.23.028(b); and

(2) full or partial reimbursement from individuals convicted of a felony or misdemeanor for costs imposed on the state criminal justice system related to convictions and incarcerations."

Page 1, line 5:

Delete "\* Section 1."

Insert "\* Sec. 2."

Renumber the following bill sections accordingly.

Page 2, lines 28 - 31:

Delete "who has been convicted of a felony is not eligible for a permanent fund dividend for a year when, during all or part of the previous calendar year, as a result of the conviction, the individual is incarcerated. This subsection does not apply if the felony conviction is reversed. An action taken under AS 12.55.085 - 12.55.110"

Insert "[WHO HAS BEEN CONVICTED OF A FELONY] is not eligible for a permanent fund dividend for a dividend year when (1) during the calendar year immediately preceding that dividend year the individual was convicted of a felony; or (2) [,] during all or part of the [PREVIOUS] calendar year immediately preceding that

dividend year, as a result of the conviction of a felony or misdemeanor, the individual was [IS] incarcerated. This subsection does not apply if the conviction is reversed. An action taken under AS 12.55.085 - 12.55.110"

Page 5, after line 18:

Insert a new bill section to read:

"\* Sec. 8. AS 43.23.028(b) is amended to read:

(b) The notice requirements of (a) of this section do not apply to appropriations from the dividend fund to the crime victim compensation fund established under AS 18.67.162, to the council on domestic violence and sexual assault established under AS 18.66.010, to the court system, or to the Department of Corrections to the extent that amounts appropriated for a fiscal year do not exceed the total amount that would have been paid during that same [THE PREVIOUS] fiscal year to individuals who are ineligible to receive dividends under AS 43.23.005(d) if they had been eligible."

Re-number the following bill sections accordingly.

Page 7, lines 2 - 4:

Delete

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

Insert

"(5) use a list of individuals ineligible for a dividend under AS 43.23.005(d) provided annually by [ANNUALLY DETERMINE, IN COOPERATION WITH] the Department of Corrections and the Department of Public Safety to determine [,] the number and identity of those individuals [INELIGIBLE FOR A PERMANENT FUND DIVIDEND UNDER AS 43.23.005(d)];"

Page 12, after line 6:

Insert new bill sections to read:

"\* **Sec. 20.** Notwithstanding the amendment to AS 43.23.005(d) made in sec. 5 of this Act, for purposes of determining eligibility for 1995 dividends, AS 43.23.005(d) shall be applied as though it had not been amended by this Act.

\* **Sec. 21.** Notwithstanding the amendment to AS 43.23.028(b) made in sec. 8 of this Act, the notice requirements of AS 43.23.028(a) do not apply to appropriations from the dividend fund made <sup>for</sup> during fiscal year 1995 to the crime victim compensation fund established under AS 18.67.162, to the Council on Domestic Violence and Sexual Assault established under AS 18.66.010, to the court system, or to the Department of Corrections to the extent that amounts appropriated do not exceed the total amount that would have been paid during fiscal year 1994 and fiscal year 1995 to individuals who are ineligible to receive dividends under AS 43.23.005(d) if they had been eligible."

*Conceptual  
Amend  
Lang.*

Re-number the following bill sections accordingly.

Page 12, line 7:

Delete "1 - 3, 5, 6, 10 - 14, and 16"

Insert "2 - 4, 6 - 8, 12 - 16, 18, and 21"

Page 12, line 9:

Delete "1 - 3, 5, 6, and 8 - 18"

Insert "1 - 4, 6 - 8, 10 - 19, 21, and 22"

Page 12, line 11:

Delete "4 and 7"

Insert "5, 9, and 20"

Back-up



Official Business

# Alaska State Senate

## Senate Finance Committee

NB 392

Mail Stop 3100  
State Capitol  
Juneau, Alaska 99801-1182

### Senate Bill 378: Sponsor Statement

Current statute provides that individuals who are incarcerated for a felony conviction are ineligible for a PFD in the next calendar year (AS 43.23.005(d)); the total amount that would have been paid to these individuals if they had been eligible is available for appropriation from the dividend fund during the next fiscal year to the crime victim compensation fund, the council on domestic violence and sexual assault, or the Department of Corrections (AS 43.23.028(b)).

SB 378 would change this process in two ways. First, it would increase the pool of individuals who are ineligible for a PFD to include convicted misdemeanants during a year in which they were incarcerated as a result of the conviction. Second, it would shorten the length of time necessary before the forfeited dividend funds are available for appropriation.

Misdemeanants impose a significant burden on the criminal justice system; in fact, the average misdemeanor costs the State at least \$1,559.60, based on the following estimates:

Department of Law	\$207.00
Department of Public Safety	\$300.00
Department of Corrections	\$852.60
Public Defender Agency	\$200.00
Court System	Unable to isolate costs

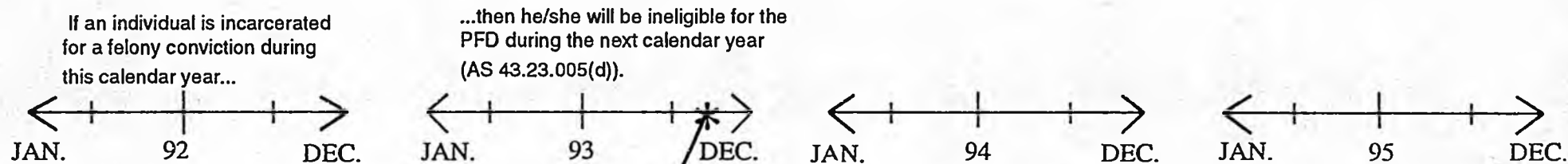
It is entirely appropriate that individuals convicted of a misdemeanor should forfeit the dividend and contribute towards the expenses incurred by the State's law enforcement, judicial, and correctional agencies.

Currently it takes three years before the forfeited dividend funds are available for appropriation; for example, the appropriation from the dividend fund for FY95 reflects convicted felons who were incarcerated in CY92. SB 378 would shorten this process to two years. This would have the effect of "bumping up" future appropriations by one year, thereby allowing a second appropriation from the dividend fund for FY95.

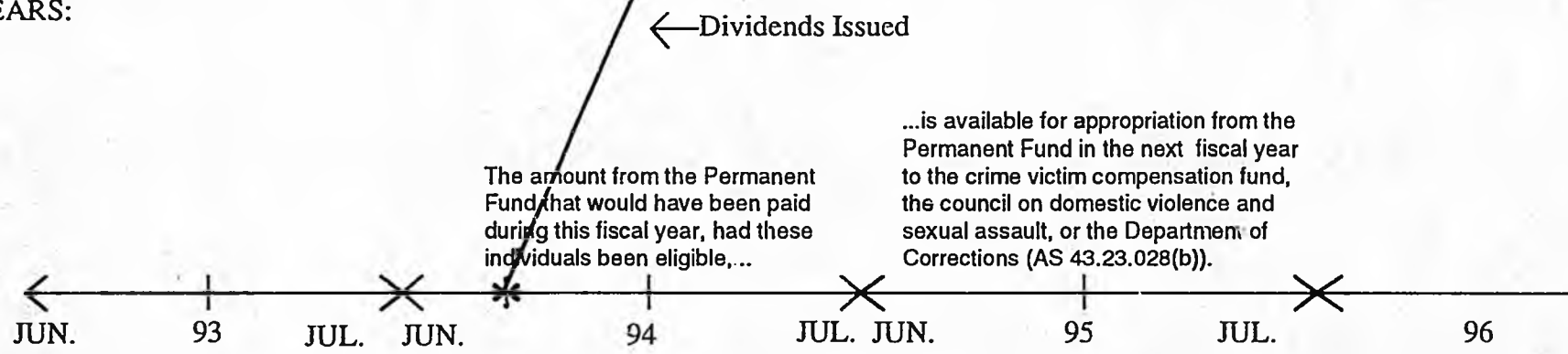
Additionally, SB 378 would add the court system to the list of agencies eligible to receive appropriations from the dividend fund; since every individual convicted of a felony or misdemeanor must appear before the court at some point, its inclusion should decrease the possibility of an equal protection challenge.

# CURRENT PROCEDURE: Forfeiture of PFD by Individuals Convicted of Felony

## CALENDAR YEARS:



## FISCAL YEARS:

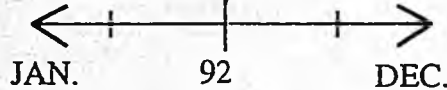


Explanatory Graphs

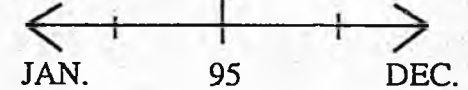
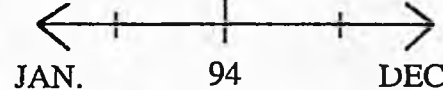
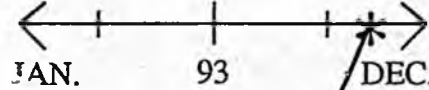
# PROPOSED PROCEDURE: Forfeiture of PFD by Individuals Convicted of Felony or Misdemeanor

## CALENDAR YEARS:

if an individual is convicted of a felony or misdemeanor, or incarcerated for a felony or misdemeanor conviction, during this calendar year...



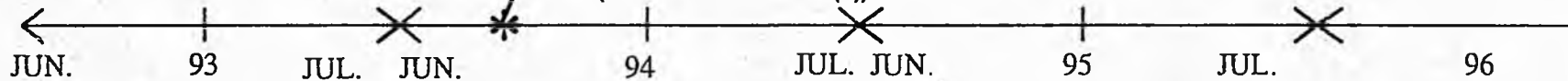
...then he/she will be ineligible for the PFD during the next calendar year (Revised AS 43.23.005(d)).



## FISCAL YEARS:

← Dividends Issued

The amount from the Permanent Fund that would have been paid during this fiscal year, had these individuals been eligible, is available for appropriation from the Permanent Fund in that same fiscal year to the crime victim compensation fund, the council on domestic violence and sexual assault, the court system, or the Department of Corrections (Revised AS 43.23.028(b)).



Cross references. — For legislative purpose and intent in enacting this section, see §§ 1, 2, ch. 11, SLA 1991 in the Temporary and Special Acts.

Effective dates. — Section 3, ch. 11, SLA 1991, which enacted this section,

took effect on August 28, 1991.

Editor's notes. — Section 4, ch. 11, SLA 1991 provides that this section applies to tax years beginning after December 31, 1991.

**Article 5. General Provisions.**

Section  
310. 320. [Repealed]

*Secs. 43.20.310, 43.20.320. Taxable years to which applicable; arrangement and classification. [Repealed, § 62 ch 21 SLA 1991.]*

**Chapter 23. Permanent Fund Dividends.**

<p>Section</p> <p>05. Eligibility</p> <p>11. Application period</p> <p>15. Application and proof of eligibility</p> <p>16. Voter registration</p> <p>25. Amount of dividend</p> <p>28. Public notice</p> <p>35. Penalties and enforcement</p> <p>45. Dividend fund</p>	<p>Section</p> <p>55. Duties of the department</p> <p>65. Exemption of and levy on permanent fund dividends</p> <p>67. Claims of defaulted scholarship loans</p> <p>69. Assignments</p> <p>95. Definitions</p>
--	--

**Sec. 43.23.005. Eligibility.** (a) An individual is eligible to receive one permanent fund dividend each year in an amount to be determined under AS 43.23.025 if

- (1) the individual applies to the department;
  - (2) on the date of application the individual is a state resident;
  - (3) the individual was a state resident for at least the calendar year immediately preceding January 1 of the current dividend year;
  - (4) the individual has been physically present in the state at some time during the prior two calendar years before the current dividend year; and
  - (5) the individual is
    - (A) a citizen of the United States;
    - (B) an alien lawfully admitted for permanent residence in the United States;
    - (C) an alien with refugee status under federal law; or
    - (D) an alien that has been granted asylum under federal law.
- (b) *[Repealed, § 18 ch 4 SLA 1992.]*

(c) A parent, guardian, or other authorized representative may claim a permanent fund dividend on behalf of an unemancipated minor or on behalf of a disabled or an incompetent individual who is eligible to receive a payment under this section. Notwithstanding (a)(2) — (4) of this section, a minor is eligible for a dividend if, during the two calendar years immediately preceding the current dividend

year, the minor was born to or adopted by an individual who is eligible for a dividend for the current dividend year.

(d) Notwithstanding the provisions of (a) — (c) of this section, an individual who has been convicted of a felony is not eligible for a permanent fund dividend for a year when, during all or part of the previous calendar year, as a result of the conviction, the individual is incarcerated.

(e) [Repealed, § 64 ch 21 SLA 1991.]

(f) In a time of national military emergency, the commissioner may waive the requirement of (a)(4) of this section for an individual absent from the state under military orders while serving in the armed forces of the United States, or for the spouse and dependents of that individual. (§ 1 ch 102 SLA 1982; am § 1 ch 57 SLA 1987; am § 1 ch 54 SLA 1988; am § 1 ch 159 SLA 1988; am §§ 2, 3 ch 107 SLA 1989; am § 1 ch 68 SLA 1990; am §§ 46, 62 ch 21 SLA 1991; am § 1 ch 68 SLA 1991; am §§ 4 — 8, 18 ch 4 SLA 1992)

**Cross references.** — For the application deadlines for minors who qualified for a dividend for 1992 because of the 1992 amendment to (c) of this section, see § 19, ch. 4, SLA 1992 in the Temporary and Special Acts.

**Effect of amendments.** — The first 1991 amendment, effective June 11, 1991, substituted "12 consecutive months" for "24 consecutive months" in paragraph (a)(2) and repealed subsection (e).

The second 1991 amendment, effective June 20, 1991, added subsection (f).

The 1992 amendment, effective January 1, 1993, rewrote subsections (a), (c), and (d), repealed subsection (b), and made a paragraph reference substitution in subsection (f).

**Editor's notes.** — Under §§ 5 and 20, ch. 4, SLA 1992, from April 1, 1992, to January 1, 1993, and retroactive to January 1, 1992, the last sentence of (c) of this section read "Notwithstanding (a)(1)-(3) of this section, a minor is eligible for a dividend if, during the 24 months immediately preceding the current dividend year, the minor was born to or adopted by an individual who is eligible for a dividend for the current dividend year."

**Legislative history reports.** — For legislative letter of intent relating to the enactment of subsection (f) by § 1 ch. 68, SLA 1991 (HCS CSSB 98(FIN)), see 1991 Senate Journal, pages 256, 257.

#### NOTES TO DECISIONS

##### **Constitutionality.**

Subsection (d) does not violate the equal protection clause of the United States Constitution and/or the Alaska Constitution. *State v. Anthony*, 810 P.2d 155 (Alaska 1991).

Subsection (d), which makes incarcerated felons ineligible for permanent fund

dividends, does not violate the ex post facto clause of either the United States or the Alaska Constitutions. *State v. Anthony*, 816 P.2d 1377 (Alaska 1991).

Cited in *Morgan v. Department of Revenue*, 813 P.2d 295 (Alaska 1991); *Handley v. State, Dep't of Revenue*, 838 P.2d 1231 (Alaska 1992).

**Sec. 43.23.011. Application period.** An application for a permanent fund dividend shall be filed during the period that begins January 2 and ends March 31 of that dividend year. (§ 9 ch 4 SLA 1992)

filed for a previous year's dividend by the filing deadline but who were not included in a previous year's dividend computation;

(E) less appropriations from the dividend fund during the current year, including amounts to pay costs of administering the dividend program and the hold harmless provisions of AS 43.23.075;

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

(3) dividing the amount determined under (1) of this section by the amount determined under (2) of this section.

(b) *[Repealed, § 5 ch 68 SLA 1991.]* § 1 ch.102 SLA 1982; am § 1 ch 55 SLA 1983; am § 2 ch 43 SLA 1984; am § 2 ch 57 SLA 1987; am § 2 ch 54 SLA 1988; am § 4 ch 68 SLA 1990; am § 1 ch 198 SLA 1990; am § 5 ch 68 SLA 1991; am § 27 ch 134 SLA 1992)

**Effect of amendments.** — The 1991 amendment, effective June 20, 1991, repealed subsection (b).

The 1992 amendment, effective July 1, 1992, made a section reference substitution in subparagraph (a)(1)(A).

**Sec. 43.23.028. Public notice.** (a) By October 1 of each year the commissioner shall give public notice of the value of each permanent fund dividend for that year. The notice and the stub attached to each individual dividend check must disclose the amount

(1) of each dividend attributable to income earned by the permanent fund from deposits to that fund required under art. IX, sec. 15, Constitution of the State of Alaska;

(2) of each dividend attributable to income earned by the permanent fund from appropriations to that fund and from amounts added to that fund to offset the effects of inflation; and

(3) by which each dividend has been reduced due to each appropriation from the dividend fund, including amounts to pay the costs of administering the dividend program and the hold harmless provisions of AS 43.23.075.

(b) The notice requirements of (a) of this section do not apply to appropriations from the dividend fund to the crime victim compensation fund established under AS 18.67.162, to the council on domestic violence and sexual assault established under AS 18.66.010, or to the Department of Corrections to the extent that amounts appropriated for a fiscal year do not exceed the total amount that would have been paid during the previous fiscal year to individuals who are ineligible to receive dividends under AS 43.23.005(d) if they had been eligible. (§ 2 ch 198 SLA 1990; am § 3 ch 68 SLA 1991; am § 1 ch 82 SLA 1993)

**Effect of amendments.** — The 1991 amendment, effective June 20, 1991, added subsection (b).

The 1993 amendment, effective October 4, 1993, inserted "to the council on domes-

tic violence and sexual assault established under AS 18.66.010" and made punctuation changes in subsection (b).

**Legislative history reports.** — For House letter of intent relating to the en-

David,

The number of misdemeanors that we handle which result in conviction is roughly 14,000 each year. In addition, we handle roughly 3,000 probation revocations in misdemeanor cases. Because these revocation proceedings are usually simple and straightforward, we have not included them in the cost-per-case estimate calculated below.

The percentage of the attorney staff assigned to misdemeanor cases is roughly one-third, except in Anchorage where it is roughly one-quarter (most misdemeanor cases in Anchorage are handled by the municipal prosecutor's office).

The annual cost of misdemeanor prosecution is shown below, based on the FY 94 authorized budget. The costs fall into four components only, because misdemeanor cases are not handled by the components for special prosecutions and appeals or criminal justice litigation.

1st Jud. Dist.	$1074 \times 1/3 = 358$
2nd Jud. Dist.	$701 \times 1/3 = 234$
3rd -- Anch	$2905 \times 1/4 = 726$
3rd -- all other	$2784 \times 1/3 = 928$
4th Jud. Dist.	$1956 \times 1/3 = 652$
	$2898 \div 14 = \$207.00$

The misdemeanor cases fall into the following general categories. Next to each is the number of cases (rounded to the nearest hundred) that were sent to prosecution offices by police agencies in FY 93 to be reviewed for possible prosecution.

Assault	3300
Property Offens	2500
Disorderly Conduct/ Harrassment	700
Liquor Offenses	1700
Drug Offenses	500
Fish & Game	800
DWI	4200
Driv w/ Susp Lic	2400
Reckless/Neg Driv	200
Oth Driv Offenses	1900
All Other Misd Crimes	1600
Probation Revocation	<u>3300</u>
	23100

Attached is a listing of the crimes (and some other provisions) in Title 4 (alcohol), Title 11 (criminal code), Title 12 (criminal procedure), Title 16 (fish and game) and Title 28 (motor vehicles). The most common misdemeanors are highlighted. For your convenience, I have also included a copy of our criminal law manual, which contains all these provisions. In addition, however, there are a number of other offenses (usually punishable by fines only) that appear in regulations adopted by the Department of Fish and Game (related to hunting and fishing) and the Department of Public Safety (relating to motor vehicles, rules of the road, etc.)

Let me know if you have further questions.

Dean Guaneli

WALTER J. HICKEL, GOVERNOR

**DEPARTMENT OF PUBLIC SAFETY**

**DIVISION OF ADMINISTRATIVE SERVICES**

Richard L. Burton  
Commissioner

P.O. BOX 111200  
JUNEAU, ALASKA 99811 1200  
PHONE (907)465-4336

April 13, 1994

The Honorable Steve Frank  
Co-chair, Senate Finance Committee  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

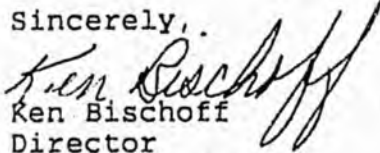
Dear Senator Frank:

In response to your staff's request to "estimate the average cost imposed on the Department of Public Safety by a misdemeanor arrest", a ballpark estimate is \$300 per arrest [5 hours X \$60 per hour]. The average time spent on a misdemeanor arrest can vary widely depending on whether it occurs in the bush or on a road system, the local court system's arraignment process, whether there is a state correctional institution or local contract jail nearby, and of course, the type of offense. The amount of time spent investigating a case can vary greatly. An "on sight" arrest can be very quick, but a theft case may take much time to investigate to the point of arrest. Also, violent offenses typically take much more time than a simple case.

Management reports are based on cases reported, and of course, not all cases result in an arrest, so it is not practical at this time to be definitive about the average time involved in a misdemeanor arrest. The most common misdemeanor arrest, Driving While Intoxicated, probably takes about three to four hours on the average. Some misdemeanor arrests take up to 60 hours of Trooper time. The 5 hour per arrest average is probably a low estimate.

The Alaska State Troopers currently contract with the US Forest Service to provide law enforcement in certain areas at a rate of \$60 per hour [which includes salary, benefits, and some support costs]. This rate has not been adjusted in recent years, and is due to be raised, but can be used as a rough estimate of the cost for an hour of Trooper time, a low estimate when all costs are taken into consideration.

Sincerely,


  
Ken Bischoff  
Director

# MEMORANDUM

STATE OF ALASKA

DEPARTMENT OF CORRECTIONS

**TO:** David Skidmore  
Legislative Assistant to Senator Steve Frank

**FROM:** Diane Schenker   
Special Assistant to the Commissioner

**DATE:** April 13, 1994

---

This memorandum is in response to your question regarding the average length of stay in a correctional center for a misdemeanor. According to Steve Schwartz, our Research Analyst, the average length of incarceration for a misdemeanor is 8.7 days.

This average was calculated based upon a formula used by the National Institute of Corrections, using the Department's OBSCIS data from calendar year 1993, as follows:

559 (1993 average daily population of misdemeanants, both pretrial and sentenced) X 365 (days per year) divided by 23,468 (1993 total admissions for misdemeanants) = 8.7 days, average length of stay.

The average daily cost of care, including state correctional beds as well as community residential center beds, is \$98 per day. Therefore, incarceration for the average misdemeanor costs the department \$852.60 (\$98 X 8.7).

## MEMORANDUM

DATE: 4-14-94  
TO: Senator Steve Frank  
FROM: John B. Salemi, Public Defender  
RE: Average cost of Misdemeanor case

Per your 4-13-94 request, this memo contains the Alaska Public Defender Agency's best guess as to the average cost of providing legal representation for a client charged with a misdemeanor level offense. Please be advised that this estimate was prepared with less than one day's notice. It is also noteworthy that misdemeanor charges vary greatly, and therefore there really is no such thing as an average misdemeanor case. Finally, this estimate is not generated by computer number-crunching, but based on the collective experience of the attorneys presently handling misdemeanors in our Anchorage office. No information was gathered from our rural offices. Here goes:

ATTORNEY TIME

1. File review and client interview(s): 1.5 hours
  2. Pre-trial motion review, drafting, research: 1.0 hours
  3. Negotiations, phone calls, bail hearing(s): 1.0 hours
  4. Change of plea hearing (preparation and court): .75 hours
- TOTAL: 4.25 HOURS

A staff attorney doing misdemeanor cases is paid a salary which is the equivalent of \$22.38/hour.  $4.25 \times \$22.38 = \$95.12$ .

The remaining costs on an "on average basis" are even more speculative. Secretary time, photocopying, equipment costs, lease space expenses--the list of overhead items and allocation to misdemeanor work cannot be readily determined. Neither should it be ignored or minimized. So, a wild guess: \$100/case.

In summary, a quick, best guess, based on attorney-generated information (as opposed to statistical analysis) is approximately \$200 per case.

I hope this helps. Call if you would like to discuss this issue.

## REPRESENTATIVE LIST OF MISDEMEANORS

### ALCOHOLIC BEVERAGES

Failure to obtain required license or permit  
Possession or consumption of alcohol by persons under the age of 21  
Furnishing or delivery of alcoholic beverages to persons under 21

### CRIMINAL LAW

Assault in the fourth degree  
Reckless endangerment  
Theft in the third degree  
Theft in the fourth degree  
Criminal trespass in the first degree  
Criminal trespass in the second degree  
Criminal mischief in the third degree  
Criminal mischief in the fourth degree  
Escape in the fourth degree  
Unlawful evasion in the first degree  
Unlawful evasion in the second degree  
Resisting or interfering with arrest  
Violating a domestic violence restraining order  
Disorderly conduct  
Harassment  
Misconduct involving weapons in the fourth degree  
Misconduct involving weapons in the fifth degree  
Misconduct involving a controlled substance in the fifth degree  
Misconduct involving a controlled substance in the sixth degree  
Violation of conditions

### FISH AND GAME

Strict liability commercial fishing penalties  
Misdemeanor commercial fishing penalties  
Wanton waste of big game animals and wild fowl

### MOTOR VEHICLES

Driving without a drivers license  
Driving on a suspended, revoked, or limited drivers license  
Operating a vehicle, aircraft, watercraft, or commercial motor vehicle while intoxicated  
Refusal to submit to chemical test  
Reckless driving  
Negligent driving

# MUNICIPALITY OF ANCHORAGE

## MEMORANDUM

DATE: April 26, 1994  
TO: Joe Hayes, MOA Lobbyist  
FROM: <sup>DM</sup> Daniel Moore, MOA  
SUBJECT: CSHB 392 (FIN) am - Permanent Fund Records Confidentiality

Regarding the bill, the comments previously sent to you which expressed the Municipality of Anchorage's concern over section 15(f) regarding Social Security numbers seem to be no longer of concern after talking to Rich Vitale of Representative Parnell's office.

Per conversation with Rich, the legislative intent allows the MOA to continue being able to access Social Security numbers submitted to the State via Permanent Fund Applications. Rich asserted that all individuals who apply for permanent fund dividends will see on their application that the Municipality is authorized to access an individual's social security number if that individual has so provided.

A greater concern that may resurface lies with an amendment proposed by Representative Kay Brown on the House-side, but which failed. Representative Brown's amendment may be proposed again on the Senate side at tomorrow's Senate Finance Committee meeting at 9:00 a.m. The Municipality strongly opposes this amendment which would make it more restrictive and cumbersome for the Municipality to collect on civil judgments. Per Representative Brown's office, this amendment is needed to protect individual privacy and to that end Representative Brown believes the Municipality should be required to seek additional court approval on a case by case basis for civil matters prior to accessing Permanent Fund Dividend records; this represents an unnecessary, unjustifiable restriction imposed on the Municipality.

In speaking with the MOA's Treasury Department and Risk Management Department, hundreds of thousands of dollars are collected on past due claims and debts, many of which are based on civil judgments. Permanent fund records have proven to be a reliable, effective source of information that enables the MOA to collect many of the debts owed to us. Should we be severely restricted in our ability to access Permanent Fund records for purposes of collection, the MOA would likely lose a substantial portion of its collection revenues. We see no justification for why the Municipality should be hindered and given less priority to the dividend records, as compared to other government agencies.

Per Rich Vitale, either you or Rich should be present tomorrow (4/27) at the 9:00 a.m. Senate Finance Committee to oppose any such amendments that would be detrimental to the Municipality.

Please make personal contact with Rich, if possible, before tomorrow morning's meeting.

cc: Rich Vitale, Representative Parnell's office

Tegis/mdm12

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To	Joe Hayes	From	Dan Moore
Co.		Co.	
Dept.		Phone #	343-4207
Fax #			

# Representative Kay Brown

ALASKA STATE LEGISLATURE

Legislative Information Office  
3111 C Street  
Anchorage, Alaska 99503  
(907) 561-7627

During Session  
State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4998

TO: Members of the Senate Finance Committee  
FROM: Rep. Kay Brown  
DATE: April 22, 1994  
SUBJECT: Proposed amendment to CS HB 392 (FIN)  
concerning protection of personal privacy

I would appreciate your consideration of the attached amendment.

I have been working with Rep. Parnell, PFD Division Director Tom Williams, state agency managers, and others to address the protection of personal privacy since this issue came to light during the bill's hearing in House Finance.

Computer matching of personal information collected by the dividend division has increased greatly in recent years. The Permanent Fund dividend file has become a preeminent tool for identifying and locating Alaskans. While this is a positive development in some contexts, the widespread use of Alaskans' personal information, with little control, opens many possibilities for misuse and invasion of privacy.

The Constitution (Article I, Sec. 22) requires the legislature to implement "the right of the people to privacy," but little has been done. The attached paper discusses concerns about computer matching of the kind done with Alaskans' PFD personal information.

This amendment would tighten up provisions in the bill by limiting uses of personal information to those listed.

I would welcome the opportunity to answer any questions. Thank you for your consideration.

DISTRICT 15

Downtown • Fairview • Northstar • Romig • South Addition • Spenard

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A M E N D M E N T

OFFERED IN THE SENATE

TO: CSHB 392(FIN).am

Page 9, line 7, after "AS 24.55.160 - 24.55.170":

Insert ", required to administer the permanent fund dividend program (AS 43.23.005 - 43.23.095),"

Page 9, lines 29 - 31:

Delete all material and insert:

"(4) to the Department of Revenue, child support enforcement division, information for use in the collection of money owed to the division or another, or for use in a child support investigation by the division;

(5) to the Department of Law, information for use in the collection of money owed to the state, or for use in an investigation by the state;

(6) to the Alaska Commission on Postsecondary Education, information for use in the collection of money owed to the commission, or for use in an investigation by the commission;

(7) to the Department of Health and Social Services, information needed to administer the following programs:

(A) public assistance under AS 47.05 and AS 47.25;

(B) medical assistance under AS 47.07;

(C) care of children under AS 47.10.230 - 47.10.260;

(D) hold harmless under AS 43.23.075;

(E) Social Security Act Supplemental Security Income Program under 42 U.S.C. 1381 - 1383;

(8) to the Department of Revenue, information for use in locating individuals for which the division has unclaimed property;

(9) to the Department of Labor, information for use in determining

compliance with resident hire requirements, determining work force demographics, and identifying unemployment insurance fraud;

(10) to a municipality, the state, or the federal government, information for use in the collection of money owed to the requesting government or for use in an investigation by the requesting government if the department receives a

(A) court order directing that the information be released;

(B) court order directing payment of a debt to the state; or

(C) request from the municipal, state, or federal government and the information is sought in connection with a criminal investigation by the requesting government;

(11) to a municipality, the state, or the federal government, information to which an applicant has authorized access as a condition of participation in a government program;

(12) to the Internal Revenue Service, information for use in the collection of money owed to the federal government or for use in an investigation by the Internal Revenue Service;"

Renumber the following paragraphs accordingly.

## Privacy Implications of Computer Matching:

### Loss of Control of Personal Information:

An individual should have control over the use of his/her personal information. This privacy principle is violated when personal information that was collected for one purpose (e.g., filing a permanent fund dividend application) is used for another purpose.

Increased exchanges and manipulation of information held by computer databases also makes it difficult for an individual to know what personal information is maintained by an institution. The use of computer matching and the "extension of bureaucratic surveillance power through computerization" is shifting the balance between the rights of individuals and the information needs of the government, away from the individual. It also creates the unusual situation where the computer becomes an informant, making avenues of redress and the ability to face one's accuser difficult.

### Search and Seizure:

[Computer matching] is like investigators entering a home without any warrant or prior suspicion, taking away some or all of the contents, looking at them, seeing what is of interest and returning the rest, all without the knowledge of the occupier. [Australian Privacy Commissioner]

To fully understand this allegation and why computer matching is viewed as a violation of individual rights, it is necessary to grasp the differences between a computer matching investigation and a traditional law enforcement investigation. A traditional investigation is generally triggered by some evidence that a person is possibly engaged in wrongdoing. A computer match is not bound by this limitation. It is directed not at an individual, but at an entire category of persons. It is random in nature as it is not initiated because any person is suspected of misconduct, but because a category (e.g., welfare recipients) is of interest to the government. What makes computer matching fundamentally different from a traditional investigation is, therefore, that its very purpose is to generate the

ALASKA DEPARTMENT OF REVENUE  
PERMANENT FUND DIVIDEND DIVISION  
AGENCIES AND INSTITUTIONS RECEIVING PFD DATA  
As of February 18, 1993

I. STATE OF ALASKA AGENCIES

A. Alaska Court System (ACS)

1. Preparing jury lists

Each September, as required by AS 09.20.050(b), the PFD Division creates and sends the ACS a magnetic tape file containing the name, address, date of birth, and social security number for all current year applicants who will be over seventeen years old by March, are U.S. citizens, and have an Alaska address.

B. Department of Administration. Division of Finance (DOF)

1. Accounting for PFD warrants

Each week, the PFD Division creates and sends the DOF a magnetic tape file containing the name, warrant issue amount, warrant date, warrant number and social security number for each dividend warrant issued that week. The DOF inputs the information into the state accounting system where it controls the redemption of the PFD warrants and establishes an accounting audit trail.

C. Department of Education. Alaska Commission on Postsecondary Education (ACPE)

1. Submitting dividend attachments and garnishments

Each June, the PFD Division creates and sends the ACPE a magnetic tape file containing the name, address, date of birth, social security number, and record key for all current year filers over sixteen years old. Prior to October the ACPE returns a tape file that contains a record for each dividend they wish to attach. The ACPE's file contains a copy of the record the PFD Division supplied, with an appended garnishment amount and case number. The ACPE also supplies a printout of the tape and a document certifying that the garnishments are accurate and legal. The PFD Division makes payment on the garnishments as the dividends are processed for payment.

D. Department of Health and Social Services. Division of Public Assistance (DPA)

1. Administering the Hold Harmless program

Each week, the PFD Division creates and sends the DPA a magnetic tape file containing the name, address, date of birth, social security number, sponsor

Agencies and Institutions Receiving PFD Data

As of February 18, 1993

information, payment amount and payment date for the dividends issued that week. In January, the PFD Division creates and sends the DPA a complete payment file containing the same data along with the warrant numbers.

E. Department of Labor. Division of Administrative Services. Research and Analysis Section (DOL)

1. Determining compliance with resident hire requirements, determining work force demographics, and identifying unemployment insurance fraud

Each June, the PFD Division creates and sends the DOL a magnetic tape file containing the name, address, date of birth, social security number, household packet key, sponsor information, eligibility information, military indicator, absence data, sex and fraud indicator for all current year applicants.

F. Department of Law. Civil Division. Anchorage Collections Section (DL)

1. Submitting dividend attachments and garnishments

Each June, the PFD Division creates and sends the DL a disk file containing the name, address, date of birth, social security number, and record key for all current year adult applicants. The PFD Division makes payment on the garnishments as the dividends are processed for payment.

2. Submitting dividend assignments made under the Rules of Court

Each June, the PFD Division creates and sends the DL a magnetic tape file containing the name, address, date of birth, social security number, and record key for all current year adult applicants. The DL uses this file to ensure individuals who are required to assign their dividend have actually applied for a dividend. The PFD Division makes payment on the garnishments as the dividends are processed for payment.

G. Department of Natural Resources. Division of Land and Water Management (DLWM)

1. Verifying residency qualifications for land discount programs

Each June, the PFD Division creates and sends the DLWM a magnetic tape file containing the name, address, date of birth, and social security number for all current year adult applicants.

Agencies and Institutions Receiving PFD Data

As of February 18, 1993

H. Department of Public Safety (DPS)

1. Identifying and locating individuals

The PFD Division provides on-line access to the name, address, date of birth, social security number, birth state, birth name and packet application information for all applicants via the *PFD Information System* to 17 Alaska State Troopers staff and 2 Fish and Wildlife Protection staff.

I. Department of Revenue. Child Support Enforcement Division (CSED)

1. Identifying and locating individuals

The PFD Division provides on-line access to the name, address, date of birth, social security number, birth state, birth name and packet application information for all applicants via the *PFD Information System* to 80 CSED staff.

2. Submitting dividend attachments and garnishments

Each June, the PFD Division creates and sends the CSED a magnetic tape file containing the name, address, date of birth, social security number and record key for all current year adult applicants. Prior to October the CSED returns a tape file that contains a copy of the record the PFD Division supplied, with an appended garnishment amount and case number. The CSED also supplies a printout of the tape and a document certifying that the garnishments are accurate and legal. The PFD Division makes payment on the garnishments as the dividends are processed for payment.

J. Department of Revenue. Income & Excise Audit Division (IEAD)

1. Identifying and locating individuals

The PFD Division provides on-line access to the name, address, date of birth, social security number, birth state, birth name and packet application information for all applicants via the *PFD Information System* to 9 IEAD staff, including Unclaimed Property Section staff.

K. Office of the Lt. Governor. Division of Elections (DE)

1. Conducting voter registration drives

Upon request, the PFD Division creates and sends the DE a magnetic tape file containing the name, address, date of birth, and social security number for all current year applicants who are over eighteen years old.

Agencies and Institutions Receiving PFD Data

As of February 18, 1993

L. University of Alaska. Advanced College Tuition (ACT) Program

1. Administering the ACT program

Each month, the PFD Division creates and sends the UOA a diskette containing the name, address, social security number and date of birth of applicants who have elected to contribute half of their PFD to the ACT program.

II. FEDERAL GOVERNMENT AGENCIES

A. Internal Revenue Service (IRS)

1. Identifying and locating individuals

Upon request, the PFD division provides copies of applications to the IRS as well as copies of the front and back of redeemed warrants. The division blanks out all direct deposit account information appearing on 1993 and subsequent year applications.

Prior to 1993, each July the PFD Division also provided two microfilm copies of each application along with microfiche copies of a record of each applicant's name, social security number, date of birth and PFD Division Document Locator Number (DLN) sorted alphabetically by last name. Since disclosure of applicants' direct deposit account information contained on the face of the application is precluded by the confidentiality requirements of 15 AAC 23.253(c), in 1993 the PFD Division discontinued sending the IRS microfilm copies of all applications.

2. Submitting levies of dividends

Each June, the PFD Division creates and sends the IRS a magnetic tape file containing the applicant's name, address, date of birth, social security number and record key for all current year applicants. Prior to October the IRS returns a tape file that contains a copy of the record the PFD Division supplied, with an appended levy amount and case number. The IRS also supplies a single levy and a document certifying that the tape file is correct and that the levy of each dividend contained on the file is accurate and legal. The PFD Division makes payment on the garnishments as the dividends are processed for payment.

Agencies and Institutions Receiving PFD Data

As of February 18, 1993

3. Ensuring compliance with federal income tax reporting requirements

Each January, the PFD Division sends the IRS a magnetic tape file containing the applicant's name, address, social security number, the amount paid and the amount withheld for all applicants paid during the prior calendar year in an IRS Form 1099 format as required by federal law.

B. Selective Service Commission (SSC)

1. Ensuring compliance with draft registration requirements

Upon request, the PFD Division creates and sends the SSC a magnetic tape file containing the name, address, date of birth, and social security number for all current year male applicants between seventeen and twenty-eight years old.

### III. MUNICIPAL GOVERNMENTS

A. Municipality of Anchorage (MOA)

1. Submitting dividend attachments and garnishments and dividend assignments made under the Rules of Court

Each June, the PFD Division creates and sends the MOA a magnetic tape file containing the name, address, date of birth, social security number and record key for all current year adult applicants. The MOA includes the applicant's record key on all paper services sent to the PFD Division.

### IV. FINANCIAL INSTITUTIONS

A. Participating Alaska Financial Institutions (PAFI)

1. Ensuring requesting PFD applicants qualify for direct deposit

Each June, the PFD Division creates and sends each of the PAFIs a magnetic tape or disk file containing the applicant's name, address, date of birth, social security number, and account number for all current year adult and child applicants who have requested to have their dividend directly deposited into a PAFI account. The PAFIs use the information verify that the applicant qualifies for direct deposit in accordance with 15 AAC 23.223(b)(4).