

HB

547

FISCAL NOTE

**STATE OF ALASKA
2004 LEGISLATIVE SESSION**

Fiscal Note Number: _____
 Bill Version: HB 547
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
 Title PFD: Delay Payments for Allowable AI RDU Revenue & Program Support
Absences Component Permanent Fund Dividend
 Sponsor House State Affairs
 Requester House State Affairs Component No. 981

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	50.0					
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	50.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other PFD Fund	50.0					
TOTAL	50.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

HB 547 delays payments of dividends for Alaskans who are out of state on specified allowable absences. Payments would be delayed until the individual returns to Alaska and would be paid on the first subsequent year that the individual is eligible for a dividend without claiming any of the specified allowable absences.

If an individual fails to be eligible for a subsequent year dividend, the individual's eligibility for the delayed dividends is terminated and the dividends may not be paid.

Prepared by: Paul E. Dick
 Division: Permanent Fund Dividend Division
 Approved by: Steve Porter, Deputy Commissioner
 Agency: Department of Revenue

Phone 465-4784
 Date/Time 3/30/04 7:53 AM
 Date 3/30/2004

LEGAL SERVICES

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MEMORANDUM

April 5, 2004

SUBJECT: Permanent fund dividend delayed payment (HB 547)
(Work Order No. 23-LS1877\H)

TO: Representative Paul Seaton
Attn: Christopher Knight

FROM: Tamara Brandt Cook
Director *TBC*

HB 547 delays the payment of permanent fund dividends to most people with allowable absences under the program. Payment of past dividends is made only when a person first qualifies for a dividend without claiming an allowable absence. If a year passes when the person does not qualify for a dividend, eligibility for payment of the back dividends is also lost.

(1) Does this bill pose equal protection problems?

This proposal has not been tested in court, so it is impossible to tell with certainty that the proposal would withstand an equal protection challenge, but the proposal stands a good chance of being upheld.

Under the state equal protection clause, a statute is evaluated on a sliding scale under which the goal of the legislation and the importance of the individual rights affected are considered. As the importance of the individual rights affected increases, the burden increases on the state to show that the state's goal justifies the intrusion on the individual's interests in equal treatment and that the state's goal is rationally related to the means chosen to achieve the goal. (State v. Anthony, 810 P.2d 155 (Alaska 1991) upholding a statute making certain criminal offenders ineligible for dividends despite their residency status) Our state supreme court has noted that even minimum equal protection scrutiny under the state constitution may be more demanding than under the federal constitution. (State, Department of Revenue v. Cosio, 858 P.2d 621 (Alaska 1993)) Consequently, if a statute (or regulation) survives state equal protection analysis, it is unlikely to suffer reversal under federal equal protection analysis.

The court has considered how to apply the state equal protection sliding scale analysis in the context of the permanent fund dividend program and concluded that, at least when no suspect classification such as race is involved, the right to receive a dividend is accorded a minimum level of protection because the right is not very important. An individual's

interest in receiving a permanent fund dividend is accorded a low level of protection under the state equal protection clause because only an economic interest is implicated, and that economic interest is not based on the need of the applicant. (Underwood v. State, 881 P.2d 322 (Alaska 1994)) Obviously, there is an equal protection question inherent in the allowable absences provision of the permanent fund dividend program simply because the state has drawn distinctions between people, based upon the reasons they may be absent from the state (judging some to be more acceptable than others), and it is not clear that those distinctions actually bear much relationship to the underlying question of whether a particular individual is or is not an actual state resident. However, the court has so far upheld differences in treatment between categories of absent individuals. (State, Department of Revenue v. Bradley, 896 P.2d 237 (Alaska 1995) upholding a difference in treatment between full-time and part-time students who are absent from the state; State, Department of Revenue v. Gazaway, 793 P.2d 1052 (Alaska 1990) upholding a regulation permitting absences from Alaska only if the absence was no longer than the time physically present in the state)

Under HB 547 individuals with allowable absences are treated differently with respect to when the dividends are paid: they get their dividends when they return and remain physically present in the state during a year for the eligibility period (180 days) without needing to rely on an allowable absence for eligibility. This, arguably, serves a legitimate state purpose in testing whether an individual who is absent from the state for considerable periods of time actually does have the intent to reside in the state indefinitely, imposing, if you will, an objective test of a subjective state of mind. (State, Department of Revenue v. Wilder, 929 P.2d 1280 (Alaska 1997) intent to return to the state must be established for purposes of dividend eligibility) The state supreme court has noted (Hicklin v. Orbeck, 565 P.2d 159 (1977), page 171, reversed on other grounds, 437 U.S. 518 (1978):

The state is constitutionally entitled to use reasonable administrative means to determine who is a bona fide resident and who is not. Domicile or bona fide residence contain an objective requirement of physical presence and a subjective intent requirement. It is not unreasonable to use the objective indicia.)

The delayed payment approach in HB 547 also has the benefit of establishing a "bright line" test of the sort that is administratively efficient to apply because there is no need to weigh and consider multiple factors involving each particular case in order to determine when to pay the dividend. Administrative efficiency is, itself, recognized to be a legitimate state goal.

(2) Under HB 547 the delayed payment approach will not apply to individuals who are absent from the state while serving as a member of the United States Congress. Does exempting this single allowable absence create equal protection problems?

Probably not, based on the fact that the legislature could reasonably determine that the residency of Congressional delegates is not as questionable as the residency of other

Representative Paul Seaton
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individuals who are not physically present in the state. The U.S. Constitution itself requires a member of the U.S. House or Senate to be "an inhabitant" of the state from which elected at the time of the election. (Art. I, secs 2 and 3, Constitution of the United States)

(3) Does HB 547 create issues of due process?

Procedural due process rights attach to administrative or judicial adjudicative proceedings under which the rights of particular individual are determined. Substantive due process is implicated by provisions of law that have the effect of depriving an individual of a vested property right. It is unlikely that a court would find that an individual's property interest in receiving a permanent fund dividend has become vested until all statutory requirements for receipt of the dividend have been satisfied, including those imposed under HB 547, if it is enacted. (Church v. State, 973 P.2d 1125 (Alaska 1999) claimant who was ineligible for a permanent fund dividend as a matter of law because he was out of state for more than 180 days was not denied procedural due process rights when his appeal was denied in a summary adjudication and was not denied substantive due process rights by the statutory scheme under which dividends are denied to individuals absent from the state for more than 180 days, whose absences do not fit within the excused categories)

TBC:mdr
04-138.mdr

Year	Total Applicants	Applicants w/absences	Apps w/allow absences	Paid apps w/allow absences
2003	625,469	39,650	29,410	24,045
2002	620,770	39,710	29,304	23,909
2001	620,109	41,333	30,122	23,801
2000	618,726	41,829	28,612	22,894
1999	592,402	33,138	24,460	20,622

2003 Allowable Absences by Type

Absence Type	Count of Absences
A - Accompanied	10,726
B - Enrolled College	9,271
C - Active Duty	6,814
D - Medical	838
E - Congressional	57
H - Employment	60
L - Cared for ill family	371
M - Settled estate	262
N - Care for terminally ill	583
P - Merchant Marine	57
Q - Attend Secondary	853

2002 Allowable Absences by Type

Absence Type	Count of Absences
A - Accompanied	10,558
B - Enrolled College	9,440
C - Active Duty	6,622
D - Medical	844
E - Congressional	53
H - Employment	69
L - Cared for ill family	366
M - Settled estate	264
N - Care for terminally ill	568
P - Merchant Marine	48
Q - Attend Secondary	937

2001 Allowable Absences by Type

Absence Type	Count of Absences
A - Accompanied	10,966
B - Enrolled College	9,742
C - Active Duty	6,658
D - Medical	775
E - Congressional	58
H - Employment	68
L - Cared for ill family	355
M - Settled estate	352
N - Care for terminally ill	607
P - Merchant Marine	56
Q - Attend Secondary	986

2000 Allowable Absences by Type

Absence Type	Count of Absences
A - Accompanied	10,188
B - Enrolled College	9,473
C - Active Duty	6,154
D - Medical	758
E - Congressional	79
H - Employment	55
L - Cared for ill family	511
M - Settled estate	358
N - Care for terminally ill	594
P - Merchant Marine	47
Q - Attend Secondary	931

1999 Allowable Absences by Type

Absence Type	Count of Absences
A - Accompanied	8,109
B - Enrolled College	9,582
C - Active Duty	5,339
D - Medical	551
E - Congressional	46
H - Employment	47
L - Cared for ill family	380
M - Settled estate	244
N - Care for terminally ill	546
Q - Attend Secondary	2

Note: Some applications contain more than one absence type



Official Business

Alaska State Legislature

House of Representatives

House State Affairs Committee

State Capitol
Juneau, AK. 99801-1182

Sponsor Statement

HB 547

“An Act relating to the dividends of individuals claiming allowable absences; and providing for an effective date.”

The Alaska Permanent Fund Dividend (PFD) was initiated to provide Alaskans with a share of the state's resource wealth, primarily derived from oil. As dividend values increase, the number of allowable absences has also increased. Abuse and concern regarding allowable absences has been supported anecdotally for years. To eliminate the potential abuse of distributing PFD dividends out of state, HB 547 simply asks individuals to return to the state in order to collect their dividends.

Currently, if a PFD applicant applies and meets the conditions set out in statute for allowable absences, then nothing prevents payment of the dividend. Individuals collecting dividends out of state, leave little in net returns to Alaska. In 2003, roughly 17,000 dividends were paid to people living out of state, removing \$19 million directly from the state's economy. With a dividend in the amount of \$1963 in 2000, roughly \$30 million left the state.

HB 547 requires all people applying for dividends out of state to return to Alaska for one year to collect their dividends. Nothing in the bill changes eligibility requirements or allowable absences with regards to maintaining one's residency status for the PFD.

Requiring people to return to Alaska before paying dividends should allow for more dollars to flow back into the state. Knowing that a sizable nest egg had accrued in absence, HB 547 might encourage college graduates to return home. By distributing all our PFDs in state, HB 547 seeks to remedy Alaska's brain drain, while potentially pumping more money into the state's economy.



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Anchorage Daily News

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Bill would hold checks 'til out-of-staters return

PFD: Lawmakers want to reduce fraud.

By SEAN COCKERHAM

Anchorage Daily News

(Published: March 31, 2004)

JUNEAU -- A group of legislators want to stop sending \$20 million in Permanent Fund dividend checks out of state each year to military personnel, congressional staffers, college students and others who might never return to live in Alaska.

Their proposed solution: The state would keep the dividends of those roughly 17,000 people who live Outside but qualify as Alaska residents under the dividend program. If they return to live for at least a year, the state would then pay them all their missed checks, but without interest.

House Bill 547 is new but is getting a warm reception in the Legislature. Still, some inside and outside the Capitol worry about the impact of shutting off dividends to soldiers and students who may need the checks for living expenses.

Bill sponsor Rep. Paul Seaton, R-Homer, said he wants to crack down on dividend fraud. He said that he, like other Alaskans, has often heard stories of people abusing the dividend program.

"People collecting dividends from the state and having no intention of coming back to the state" is how he put it.

Seaton said he also wants to encourage Alaskans to come home after school or military service. Lawmakers commonly bemoan Alaska's brain drain. An incentive is needed to help retrieve them, Seaton said, and a waiting pile of dividend checks might just be it.

In general, people can't be gone from Alaska for more than 180 days a year and still get a dividend check. But, over the years, the Legislature has created 13 allowable absences that let people live Outside and still collect.

They include: serving active duty as a member of the military or being the spouse or child of a military member; attending college full-time; getting vocational or professional education not reasonably available in Alaska; receiving medical care not based on a need for a change in climate; providing care for a terminally ill parent, spouse, sibling or child; serving in Congress or as a congressional staffer.

To get their check, out-of-state Alaskans have to sign a pledge of intent to return. But they don't always return.



REP. PAUL SEATON R-HOMER

House Bill 547 sponsor Rep. Paul Seaton, R-Homer (Photo by Seanna O'Sullivan/AP)



REP. BOB LYNN R-ANCHORAGE

Rep. Bob Lynn, R-Anchorage, worries military will be short-changed. (Photo by Seanna O'Sullivan/AP)

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Under Seaton's bill, only members of Alaska's congressional delegation could remain outside Alaska and still get the annual check without moving back to the state for at least a year. Seaton's staffer, Chris Knight, explained that he didn't want to be in a position of keeping a dividend check from U.S. Sen. Ted Stevens.

The bill, introduced Monday, got its first hearing Tuesday in the House State Affairs Committee. The chairman, Juneau Republican Rep. Bruce Weyhrauch, is working with Seaton on the bill. And other lawmakers on the panel, Democrats and Republicans alike, also seemed to like the idea.

"I'm thinking to myself, why didn't I think of that?" was the response of Rep. John Coghill, R-North Pole and House majority leader.

Anchorage Democratic Rep. Max Gruenberg told the House committee that he strongly supports the bill. But Gruenberg and Coghill both said they want to look at it closer and get some questions answered.

The bill does not limit how long a person could be absent and still come home and collect dividends. But under current regulations there is a 10-year cutoff, as of 2008.

Rep. Bob Lynn, R-Anchorage, who is retired from the Air Force and is active in military issues, said he's worried about shortchanging military personnel who can't choose where they get posted.

"We have to be good shepherds of the Permanent Fund," Lynn said. "And we have to take care of our military who are serving us around the world," he said.

Lynn said he planned to talk to veterans groups about the bill. Members of veterans groups reached Tuesday hadn't heard about it, but didn't have a favorable first reaction. Leon Bertram of the American Legion in Anchorage said Alaskans serving their country shouldn't be forced to wait until they are able to move back to Alaska to get their dividend. They aren't making much in the military, he said.

"I don't think that's a very good idea," he said.

But, Bertram said, the dividend should only go to people really coming back to Alaska. The American Legion doesn't have a formal position yet.

Delbert Lantz, principal of the Jimmy Huntington School in Huslia, said kids from rural Alaska who go to college in the Lower 48 often count on the check.

"That dividend helps them as far as tuition costs, living expenses and stuff," he said.

However, Nate Mohatt, an Alaskan pursuing a master's degree in California, said some Alaska students in the Lower 48 just use the dividend dollars for spending cash. They could use the money more after graduation to help pay off student loans.

Mohatt said he plans to come back to Alaska anyway. He questioned, though, how effective the proposal would be at meeting its sponsor's goal of easing the brain drain and inspiring Alaska kids to come home.

"A bigger encouragement than the dividends is where you can get a good job," Mohatt said.

Reporter Sean Cockerham can be reached at scockerham@adn.com

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HB 547 4/1/04

Once again our State legislators have come up with another pea-brained attempt to fine tune our Alaska Permanent Fund.

On the front page of the Anchorage Daily News, March 31st edition, under the subtitle "Lawmakers want to Reduce Fraud" our young people who are spending time away from Alaska pursuing higher education or military service, will not receive their PFD unless they return to Alaska for one year after school or military service.

My wife and I have two kids in college. They depend on their PFDs to help offset the higher cost of education in the lower 48 (i.e. books, groceries, rent, higher cost of tuition, etc., etc.).

Often the desired education cannot be obtained in Alaska. Coupled with the fact that due to a lack of jobs in Alaska, a lot of students do not return to Alaska to pursue careers. While these fact are a reason for concern for the state's future, it seems unfair to penalize Alaska's kids.

My kids spent 12 years in Sitka schools. They both come home every summer to work. They are Alaskans!

I do not know if the sponsors of HB547 ever spent time in the military, but being a veteran, I can assure people it is not a high paying job. If a person is killed in the line of duty, does this mean the state keeps the money, not the dependents?

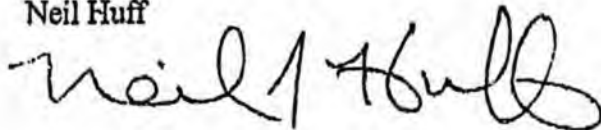
It would also be interesting to know the cost of implementing this unfair policy. Are we talking \$50,000 jobs with retirement & medical?

I'm sure targeting our young people in this way is not a fair shake. I'm not sure what the message to them is.

Anyone with ideas or opinions should contact their Representatives.

HB547 - A BAD IDEA!

Neil Huff



Senator_Kim_Elton@legis.state.ak.us, Senator_Hollis_French@legis.state.ak.us,
Senator_Lyda_Green@legis.state.ak.us, Senator_Gretchen_Guess@legis.state.ak.us,
Senator_Lyman_Hoffman@legis.state.ak.us, Senator_Georgianna_Lincoln@legis.state.ak.us,
Senator_Scott_Ogan@legis.state.ak.us, Senator_Donny_Olson@legis.state.ak.us,
Senator_Ralph_Seekins@legis.state.ak.us, Senator_Bert_Stedman@legis.state.ak.us,
Senator_Ben_Stevens@legis.state.ak.us, Senator_Gary_Stevens@legis.state.ak.us,
Senator_Gene_Therriault@legis.state.ak.us, Senator_Thomas_Wagoner@legis.state.ak.us,
Senator_Gary_Wilken@legis.state.ak.us, Shawn Jackinsky <tavarish@acsalaska.net>,
James Matlock <jandk@mtaonline.net>, aianderson@anmc.org,
Shawn Jackinsky <tavarish@acsalaska.net>

This bill makes great sense. A military person can come to Alaska, Claim to be an Alaska resident and get PFD. Never vote, Get Alaska Auto tags or establish any of the thing that are required to show residency. When the are reassigned they and thier families contitue to collect PFD. Many of these never reurn to Alaska. I know many of these people.

Subject: [Fwd: HB-547]

Date: Tue, 30 Mar 2004 16:39:22 -0900

From: Bruce Weyhrauch <Representative_Bruce_Weyhrauch@Legis.state.ak.us>

Organization: Alaska State Legislature

To: Ginny Austerman <Ginny_Austerman@legis.state.ak.us>

bill file

Subject: HB-547

Date: Tue, 30 Mar 2004 09:49:17 -0900

From: Heman Hunter <Heman@gci.net>

To: Representative_Tom_Anderson@legis.state.ak.us,
Representative_Ethan_Berkowitz@legis.state.ak.us,
Representative_Mike_Chenault@legis.state.ak.us,
Representative_Sharon_Cissna@legis.state.ak.us,
Representative_John_Coghill@legis.state.ak.us,
Representative_Harry_Crawford@legis.state.ak.us,
Representative_Eric_Croft@legis.state.ak.us,
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Representative_David_Guttenberg@legis.state.ak.us,
Representative_John_Harris@legis.state.ak.us,
Representative_Mike_Hawker@legis.state.ak.us,
Representative_Cheryll_Heinze@legis.state.ak.us,
Representative_James_Holm@legis.state.ak.us,
Representative_Reggie_Joule@legis.state.ak.us,
Representative_Mary_Kapsner@legis.state.ak.us,
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Representative_Nick_Stepovich@legis.state.ak.us,
Representative_Bill_Stoltze@legis.state.ak.us,
Representative_Bruce_Weyhrauch@legis.state.ak.us,
Representative_Bill_Williams@legis.state.ak.us,
Representative_Peggy_Wilson@legis.state.ak.us,
Representative_Kelly_Wolf@legis.state.ak.us, Senator_Con_Bunde@legis.state.ak.us,
Senator_Johr_Cowdery@legis.state.ak.us, Senator_Bettye_Davis@legis.state.ak.us,
Senator_Fred_Dyson@legis.state.ak.us, Senator_Johnny_Ellis@legis.state.ak.us,

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4/4/04
Juneau Empire

Time to stop sending millions to those bilking the system

edSt
Rocky
News

Alaska residents who live Outside face the threat of losing one of the sweetest deals ever. They are in jeopardy of no longer receiving Alaska Permanent Fund dividends, which they can collect for 10 years after leaving the state.

Here's the deal: A military family with two kids comes to Alaska for a three-year assignment. Then the family is transferred to another state, with no plans to ever live in Alaska again. As long as the parents aren't honest about the unlikelihood of becoming Alaska residents again, they can collect four dividend checks. In a year with \$1,000 dividends, that would be \$4,000 - and more like \$40,000 over a decade.

And all this from a state that's in fiscal crisis.

We're not talking about just a few families here. We're talking about enough people that dividend checks sent to out-of-state residents totaled about \$19 million last year. In 2000, the year in which the heftiest dividend checks were mailed out, \$30 million went to people living out of state.

While legislators are grappling with contentious proposals on income and sales taxes, oil royalties and tapping into the permanent fund to cover state services, the state is giving millions away to people who are working the system.

This is one of the most ludicrous loopholes ever, and Rep. Paul Seaton is trying to close it. The Homer Republican introduced legislation this week that would prevent former Alaska residents from collecting dividends until they return to the state for one year.

No doubt there are genuine Alaska residents who move away

temporarily for good reasons - such as college and military service - and have every right to collect a check as other Alaskans do. But Seaton's bill provides for these people. They can collect their dividend checks when they return.

The legislation may have the added bonus of shrinking Alaska brain drain. The state lost some 30,000 citizens in the 1990s because they moved to other states after graduating from college, estimates University of Alaska President Mark Hamilton. But knowing that thousands of dollars are waiting for them may persuade some to bring their talents and education back to their home state after school.

The Alaska Permanent Fund Division does not have firm numbers on how many of these out-of-state dividend recipients are genuine Alaska citizens or members of the U.S. military or others who are bilking the system. But permanent fund division employees who work with these applications each year say that if the out-of-state checks were counted, the majority would go to those in the military.

Seaton says that he's got support from military personnel for his bill and that many members of the military see the abuse of the system for what it is. Clearly, they don't want their reputation tarnished by those who have no qualms about lying for thousands of dollars.

The most regrettable thing about this piece of legislation is that nobody thought of it sooner.

Alaska has the embarrassing distinction of being the only state to shell out millions of dollars to citizens just because they used to live here. The state needs to lose this distinction and legislators should push Seaton's bill through as quickly as possible.

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[Fwd: PFD]

Subject: [Fwd: PFD]
Date: Sun, 28 Mar 2004 20:50:02 -0900
From: Bruce Weyhrauch <Representative_Bruce_Weyhrauch@Legis.state.ak.us>
Organization: Alaska State Legislature
To: Ginny Austerman <Ginny_Austerman@legis.state.ak.us>

committe file inthis new bill

Subject: PFD
Date: Sun, 28 Mar 2004 18:57:12 -0900
From: "Polar" <northpolar@alaska.net>
To: <Representative_Bruce_Weyhrauch@legis.state.ak.us>

Dear Elected Official

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

In response to the proposed PFD payout, I would only be willing to vote for this if it were guaranteed that a new PFD would be established when drilling begins in ANWR. There are a lot of mistakes made with this PFD. People should be required to live here for 5 years before they are eligible to receive the PFD. The loop holes for military should be eliminated. There are many families collecting PFD's who do not live here and will probably never return.

Sincerely

James Hunter

Subject: Questions regarding PFD allowable absences

Date: Mon, 05 Apr 2004 15:39:10 -0800

From: Sharon Barton <sharon_barton@revenue.state.ak.us>

To: chris_knight@legis.state.ak.us, Ginny_austerman@legis.state.ak.us,
Joe_McKinnon@legis.state.ak.us

Chris - you forwarded the following questions to us regarding PFD allowable absences:

Rep. Seaton and Rep. Gruenberg would like data going back 6 or 10 years with regards to people applying and receiving dividends under allowable absences.

How many of those people still receive the dividend under an allowable absence? **Very difficult...see below.**

How many of those people received the dividend in 2002 or 2003? **See below.**

How many of those people now receive the dividend as an in-state recipient? **See below.**

Can you break down each request by category under allowable absences? **We will have an approximation for the past five years for the Tuesday hearing.**

Basically, Max wants to know what has happened to people receiving dividends under allowable absences for two different year sets, 6 and 10 years back. **See comments below.**

Lastly, have there been any changes to the statutes that have had a considerable affect on the applications or dividends paid in past years? **No**

Additional comments:

It would be expensive in terms of staff time and computer time to determine individual patterns - how long any one applicant remained out of state; whether they ever returned to the state; etc. The information is all collected in our old computer system but getting it back out in a format useable to the committee would be very labor intensive. Each of these applicants would need to be individually researched and on each inquiry the computer has to sort through some 12 million records. Depending on the importance of this information to the committee, it may not be a good expenditure of state funds. If this breakdown is pivotal information for the committee, we will commit the staff (approximately two full days) and considerable computer time to develop it, but if not, we would appreciate being relieved of the request.

Sharon Barton

Dividend Application Information

**Why Applicants Were Absent From the State
For Absences During 2002 (The Qualifying Year for 2003 Dividend)**

Dividend application forms ask applicants if they were absent from the state for more than 90 days and 180 days. Reasons why applicants were absent from the state are listed below.

| Absence reason | Between 91 and 180 days | | | More than 180 days | | |
|--|-------------------------|-------|-------|--------------------|-------|-------|
| | Adult | Child | Total | Adult | Child | Total |
| ❖ Accompanied an Alaska resident who was eligible for a PFD | 841 | 1,508 | 2,349 | 2,521 | 5,077 | 7,598 |
| ❖ Enrolled as a full-time student (Postsecondary Education) | 3,409 | 31 | 3,440 | 5,351 | 14 | 5,365 |
| ❖ Served on active duty in the U.S. Armed Forces | 1,389 | N/A | 1,389 | 4,792 | N/A | 4,792 |
| ❖ Enrolled as a full-time student (Grades 7 - 12) | 181 | 266 | 447 | 171 | 195 | 366 |
| ❖ Received continuous medical treatment | 229 | 86 | 315 | 170 | 133 | 303 |
| ❖ Cared for a terminally ill family member | 178 | 14 | 192 | 93 | 6 | 99 |
| ❖ Cared for a direct relative with a critical life-threatening illness | 125 | 10 | 135 | 48 | 6 | 54 |
| ❖ Part of a legal custody agreement | N/A | 80 | 80 | N/A | 52 | 52 |
| ❖ Served as a member of Alaska's congressional delegation or staff | 4 | N/A | 4 | 29 | N/A | 29 |
| ❖ Settled the estate of a deceased direct relative | 81 | N/A | 81 | 18 | N/A | 18 |
| ❖ Employed aboard a vessel of the U.S. Merchant Marine | 27 | N/A | 27 | 12 | N/A | 12 |
| ❖ Employed by the State of Alaska | 19 | N/A | 19 | 10 | N/A | 10 |
| Other reasons | 1,071 | 319 | 1,390 | 558 | 317 | 875 |
| Vacation | 4,218 | 425 | 4,643 | 357 | 89 | 446 |
| Sought employment out of the state | 708 | N/A | 708 | 264 | N/A | 264 |

❖ Allowable absence for determining dividend eligibility.

N/A - Not applicable to application type.

Note: Applicants may claim more than one type of absence on their application.

Dividend Amount by Year

| Year | Amount | Increase (Decrease) |
|------|--------------------|---------------------|
| 2003 | 1107.56 | -28.11% |
| 2002 | \$1540.76 | -16.73% |
| 2001 | \$1850.28 | -5.78% |
| 2000 | \$1963.86 | 10.96% |
| 1999 | \$1769.84 | 14.86% |
| 1998 | \$1540.88 | 18.85% |
| 1997 | \$1296.54 | 14.67% |
| 1996 | \$1130.68 | 14.18% |
| 1995 | \$990.30 | 0.65% |
| 1994 | \$983.90 | 3.63% |
| 1993 | \$949.46 | 3.67% |
| 1992 | \$915.84 | -1.66% |
| 1991 | \$931.34 | -2.23% |
| 1990 | \$952.63 | 9.10% |
| 1989 | \$873.16 | 5.59% |
| 1988 | \$826.93 | 16.77% |
| 1987 | \$708.19 | 27.31% |
| 1986 | \$556.26 | 37.69% |
| 1985 | \$404.00 | 21.95% |
| 1984 | \$331.29 | -14.21% |
| 1983 | \$386.15 | |
| 1982 | 1000 ⁰⁰ | |

Applicant Mailing Address by City

| Zip Code | Municipality | Application Type | | Total | % of Total Applications |
|---|-------------------------|------------------|----------------|----------------|-------------------------|
| | | Adult | Child | | |
| 99778 | Teller | 138 | 91 | 229 | 0.04% |
| 99841 | Tenakee Springs | 100 | 15 | 115 | 0.02% |
| 99779 | Tetlin | 64 | 16 | 80 | 0.01% |
| 99919 | Thorne Bay | 381 | 129 | 510 | 0.08% |
| 99678 | Togiak | 465 | 336 | 801 | 0.13% |
| 99780 | Tok/Mentasta Lake | 1,132 | 443 | 1,575 | 0.25% |
| 99637 | Toksook Bay | 302 | 277 | 579 | 0.09% |
| 99683 | Trapper Creek | 406 | 80 | 486 | 0.08% |
| 99679 | Tuluksak | 256 | 195 | 451 | 0.07% |
| 99680 | Tuntutuliak | 197 | 172 | 369 | 0.06% |
| 99681 | Tununak | 166 | 136 | 302 | 0.05% |
| 99682 | Tyonek | 128 | 61 | 189 | 0.03% |
| 99684 | Unalakeet | 489 | 257 | 746 | 0.12% |
| 99685 | Unalaska | 643 | 256 | 899 | 0.15% |
| 99692 | Unalaska (Dutch Harbor) | 1,002 | 284 | 1,286 | 0.21% |
| 99686 | Valdez | 2,779 | 1,106 | 3,885 | 0.63% |
| 99781 | Venetie | 147 | 75 | 222 | 0.04% |
| 99782 | Wainwright | 326 | 199 | 525 | 0.08% |
| 99783 | Wales | 85 | 63 | 148 | 0.02% |
| 99928 | Ward Cove | 1,065 | 387 | 1,452 | 0.23% |
| 99654 | Wasilla | 12,866 | 6,073 | 18,939 | 3.06% |
| 99637 | Wasilla | 11,812 | 5,148 | 16,960 | 2.74% |
| 99784 | White Mountain | 121 | 77 | 198 | 0.03% |
| 99693 | Whittier | 179 | 44 | 223 | 0.04% |
| 99688 | Willow | 1,750 | 585 | 2,335 | 0.38% |
| 99929 | Wrangell | 1,682 | 559 | 2,241 | 0.36% |
| 99689 | Yakutat | 454 | 169 | 623 | 0.10% |
| Total Other Municipalities | | 192,632 | 85,496 | 278,128 | 44.92% |
| Office of Public Advocacy¹ | | 757 | 0 | 757 | 0.12% |
| Health and Social Services¹ | | 0 | 2,230 | 2,230 | 0.36% |
| Total All Alaska Municipalities | | 425,156 | 177,395 | 602,551 | 97.31% |
| West Coast states | | | | | |
| Washington | | 946 | 536 | 1,482 | 0.24% |
| Oregon | | 264 | 91 | 355 | 0.06% |
| California | | 755 | 430 | 1,185 | 0.19% |
| Total West Coast States | | 1,965 | 1,057 | 3,022 | 0.49% |
| Other States | | 8,043 | 5,604 | 13,647 | 2.20% |
| Total All Applicants | | 435,164 | 184,056 | 619,220 | 100.00% |

¹Applicants reside throughout the state, however applications are submitted by the respective agency with the agency's address (Health and Social Services are filed with a Juneau address and Office of Public Advocacy are filed with an Anchorage address).

16,669

Your Absence from Alaska and the PFD Program

Are you going to be absent from Alaska this year? If you are, you need to be aware of the rules of the Permanent Fund Dividend (PFD) program for absences and how they affect your eligibility.

This document is intended to cover the most common circumstances related to absences as they pertain to the PFD program. This document refers to eligibility only in the context of an absence from Alaska – other requirements of the PFD program must be met to be otherwise eligible. Refer to PFD statutes and regulations for more detailed information or contact your nearest Dividend Information Office to get more specific information about your absence.

Anchorage Dividend Information Office
616 E Street
Anchorage, AK 99501
(907) 269-0370

Fairbanks Dividend Information Office
1005 Cushman Street
Fairbanks, AK 99701
(907) 451-2820

Juneau Dividend Information Office
PO Box 110461
Juneau, AK 99811-0461
(907) 465-2326

TTY (Hearing Impaired) (907) 279-0098

Toll-free Number (800) 733-8813 (Available year-round in Alaska and from October 1 through March 31 from out of state).

General Rule

You may be absent from Alaska in a calendar year for up to 180 days for any reason and still be eligible for a dividend, as long as you meet all other requirements of the program.

For certain absences, you may still be eligible for a dividend even though you are absent from Alaska for more 180 days. These absences are referred to as "allowable absences" and are described under the Allowable Absences section below.

Absences and Residency

While you are absent, whether one day or the whole year, you must maintain your Alaska residency and intend to return to Alaska and remain a resident. If you do anything to establish residency in another state or country while you are out of Alaska, such as registering to vote or filing a resident income tax return, you will not be eligible for a dividend.

Example. You move from Alaska in May to take a new job Washington and purchase a home there. After two weeks, you decide to come back to Alaska to live again. Even though you were gone less than 180 days, you will not qualify for the next dividend because you broke your Alaska residency and were not an Alaska resident for the entire calendar year.

Reporting Absences

You must report all absences if you were absent from Alaska for more than 90 total days during the calendar year, or were absent when you file your application. For purposes of the dividend program, absences are counted in cumulative days, not consecutive days, for a calendar year. The division counts the day you leave as a day in Alaska; the day you return is counted as an absence day.

Example. You left Alaska on March 1 and return May 20, and again from October 1 through the 16th. The total number of absence days in this example is 95 days (80 for the March 1 through May 20 absence and 15 days for the October absence). All absences must be reported on your dividend application because your total absence days exceed 90 days. Since the total number of days is less than 180 days, you may still be eligible for a dividend.

Allowable Absences

Permanent Fund Dividend laws allow persons to be absent from Alaska for more than 180 days if they are absent for one or more of the following reasons:

- 1) Receiving secondary or postsecondary education on a full-time basis
- 2) Receiving vocational, professional, or other specific education not reasonably available in Alaska
- 3) Serving on active duty as a member of the U.S. armed forces or accompanying the eligible military member if you are a spouse, minor dependent or disabled dependent
- 4) Serving aboard an oceangoing vessel of the U.S. merchant marine
- 5) Receiving continuous medical treatment under a licensed physician's care if the treatment is not based on a need for climatic change
- 6) Providing care for your parent, spouse, sibling, child, or stepchild with a critical life-threatening illness that requires travel outside for treatment at a medical specialty complex
- 7) Providing care for your terminally ill parent, spouse, sibling, child or stepchild
- 8) Settling the estate of your deceased parent, spouse, sibling, child or stepchild provided the absence does not exceed 220 cumulative days
- 9) Serving as a member of the U.S. Congress
- 10) Serving on the staff of a member of the U.S. Congress
- 11) Serving as an employee of the state
- 12) Accompanying a minor who is absent under reason (5) above
- 13) Accompanying another eligible resident who is absent for reasons (1), (2), (5)-(12) as the spouse, minor dependent, or disabled dependent of the eligible resident

Example. You are absent from Alaska for the entire calendar year while serving on active duty in the army in Fort Lewis, Washington. While out of state, you claimed Alaska on your Leave and Earnings Statement (LES) as your state of residency for the entire calendar year. You will be eligible for a dividend because you are on an allowable absence. However, note the 72-hour rule below.

Example. In January, you and your child moved to Eugene, Oregon to be with your wife who is a full-time student at the University of Oregon. Your wife was a full-time student for the whole year except summer school. You, your wife and child will all be eligible for a dividend because you are on allowable absences. Your wife is on the full-time student absence under (1) and you and your child are on allowable absence (13) accompanying an eligible resident. However, note the 72-hour rule below.

72-Hour Rule

All persons on allowable absences must be physically present in Alaska for at least 72 consecutive hours during the prior two years before the current dividend year.

Example. You are an Alaska resident who has been stationed in Fort Benning, Georgia on active duty military service since July 1, 2000 and are applying for a 2003 dividend. You returned to Alaska from June 6 through June 11, 2001. You will be eligible for a 2003 dividend because you were in Alaska for more than 72 consecutive hours during the two prior years (2001 and 2002).

The commissioner of the Department of Revenue may waive this rule for military members (and spouses, minor dependents and disabled dependents of the military members) during times of national emergency. If applicable, contact the Permanent Fund Dividend Division to see if there is a waiver in effect for the dividend period you are applying for.

5-Year Rule

If you have been on an allowable absence for more than 5 years, the department will take a closer look at your application and look for indicators of your intent to return to Alaska. To maintain your eligibility under the dividend division will look at factors that indicate your intent to return to Alaska. You will need to spend at least 30 cumulative days in Alaska during the past 5 years, unless you can demonstrate that unavoidable circumstances prevented you from returning to Alaska. The department will look at such things as the length of the absence compared to the time spent in Alaska, home ownership in Alaska, and Alaska voter registration and vehicle license.

10-Year Rule

Beginning with the 2008 dividend, you will not be eligible for a dividend if you have been on allowable absences for the 10 preceding years and continue to be on an allowable absence greater than 180 days in the qualifying year. This rule does not apply if you are a member of the U.S. Congress or serving on the staff of an Alaska member of the U.S. Congress.

Absences in addition to Allowable Absences

If you were absent for more than 180 total days in a calendar year including one or more allowable absences during the year, you have a limited number of days that you may be absent for other reasons in order to still qualify for the dividend. There are different rules for the number of additional days depending on your circumstances as outlined below.

Military Members and Family

If you are on active duty, you and your family (spouse, minor dependent and disabled dependent) have 180 additional days if you are only claiming your active duty service time as an allowable absence. If you claim other allowable absences ([LINK TO AS 43.23.008 HERE](#)), your additional days will be limited as follows:

- If you claim an absence as a full-time student in addition to your active duty service time, you are limited to 120 additional days.
- If you claim any other allowable absence in addition to your active duty service time, you are limited to 45 additional days.

Example: You are a military member and get discharged from active service on July 1. While you were serving in the military, your wife and minor child accompanied you. You and your family decided to spend time on the East Coast after your discharge and return to Alaska September 1 (62 days). In October, you take a vacation in California from October 2 to November 15 (44 days). You and your family will still be eligible for a dividend because you were not absent from Alaska for more than 180 days in addition to your allowable military absence.

Example: You are a student at the University of Washington and graduate May 14. You stay in Seattle after school until June 1 and then take an extended vacation in Mexico until September

30 (139 days). You return to Alaska October 1. On October 15, you enlist for active duty military and are stationed outside of Alaska. Even though you are claiming a military absence and had less than 180 additional absence days, you will not be eligible for a dividend because you also claimed an allowable absence as a student. To be eligible for a dividend you would have need to be absent less than 121 additional days.

Example. You served as active duty military from January 1 to July 1 when you were discharged. You decide to take a vacation and spend time with family in Oregon after your discharge and come back to Alaska on September 1 (92 days). Later in the year, you leave Alaska to care for your terminally ill father in Oregon from November 20 through December 10 (21 days). Your total additional absence days were 102 days. Even though you are claiming a military absence and had less than 180 additional absence days, you will not be eligible for a dividend because you also claimed an allowable absence for the time you were caring for your father. To be eligible for a dividend, you would have needed to be absent less than 46 additional days.

Students

If you are a full-time student in good standing, you and your family (spouse, minor dependent and disabled dependent) have 120 additional days if you are only claiming your student absence as an allowable absence. If you claim other allowable absences, your additional days will be limited to 45 days.

Example: You are a student in Seattle meeting the requirements of the education allowable absence and attend school from January 5 through May 15. You then take a summer job in Seattle for the summer and are out of school from May 16 through August 20 (96 days). For the remainder of the year, you are in school in Seattle from August 21 through December 15. You then return to Alaska to be with family for Christmas break from December 16 through January 4 the next year. You will still be eligible for a dividend since you were on an education allowable absence during the year and the additional days you were absent was less than 121 days.

Example. You are a student at the University of Washington and graduate May 14. From May 15 to July 31 (78 days), you took a vacationed and visited family in California. Later in the year, you leave Alaska to care for your terminally ill father in Oregon from November 20 through December 10 (20 days). Your total additional absence days were 98 days. Even though you are claiming a student absence and had less than 120 additional absence days, you will not be eligible for a dividend because you also claimed another allowable absence for the time you were caring for your father. To be eligible for a dividend, you would have needed to be absent less than 46 additional days.

Others

If you are not a military member or student, and you are on an allowable absence for more than 180 days, you are limited to 45 additional days.

Example: You are out of state from January 5 to April 8 receiving continuous medical treatment under a licensed physician's care (an allowable absence). Later that year you are absent from

August 10 through September 29 for vacation (50 days). You are absent from October 20 through December 31 again receiving continuous medical treatment under a licensed physician's care. Even though you were on an allowable absence during the year, you will not be eligible for a dividend because you had more than 45 additional days of absences during the time you were on vacation in August and September. To be eligible for a dividend, you would have needed to be absent less than 46 additional days.

WILSON'S
GUIDED
SPORTFISHING
Kings Silvers Halibut

Jim Wilson / Guide

March 30, 2004

Rep. Paul Seaton
State Capitol, Room 428
Juneau, AK 99801-1182

Dear Representative Seaton,

Your House Bill 547 is long overdue.

I am reminded of the elderly gentleman I met on a flight from Seattle to Anchorage some years ago. During our discussion, he proudly told me that he and his wife were retired and had left Alaska to live in Phoenix, Arizona, but they continued to collect their Alaska Longevity Bonus and Permanent Fund checks. Although we were on a civilian flight, he told me that as retired military, he usually flew at no cost to Anchorage on military aircraft to pick up and deposit the monthly checks that were mailed to one of his rental properties. Since the rental property was leased by a friend, he also had a chance to visit with him and other old friends and, in effect, was receiving a paid vacation each month.

Since then, I have met several active military personnel through my business who receive Permanent Fund Dividend checks. Yet, during our discussions it became obvious to me that they had no intention of returning to Alaska after the completion of their military service. And yes, we are all grateful for their service, but fraud is fraud no matter how it presents itself. In effect, it seems to me that Alaska's military bases are producing a growing number of PFD recipients who must marvel at their good fortune when they and their families leave Alaska, knowing they will not return but will collect payments for many years to come.

The bottom line: I support your Bill as a positive step in the right direction and I hope it leads to additional measures that will distribute Alaska's wealth only to permanent residents of Alaska.

Sincerely,



Cc: Sen. Ben Stevens
Sen. Johnny Ellis
Rep. John Coghill
Rep. Ethen Berkowitz

Subject: No to HB547

Date: Wed, 31 Mar 2004 11:56:41 -0600

From: "David Prentice" <dprentice@mchsi.com>

To: <Representative_Paul_Seaton@legis.state.ak.us>

You say you want to encourage students and veterans to return to Alaska after whatever has drawn them away. That sounds good. But I see withholding PFDs as being a disaster for individual families.

My perspective comes from being a married father of three little children who is in his last few months of the doctoral program at Palmer College of Chiropractic. I left a steady career in Alaska to haul my whole family to Iowa to earn a degree as a Doctor of Chiropractic, and then later this year I'll haul the whole family back to Alaska to open my own practice.

How does the PFD weigh into this? From the beginning, the PFD has been a fundamental piece of my financing. It was PFD money that paid for the move down to Iowa. It has been PFD money coming once a year that has helped even out our monthly budget. PFD money paid off our car last year, financed through AlaskaUSA. When I graduate, it will be PFD money this October that will pay for our move back to Alaska.

Student loans only go so far and they're capped at a level that might be sufficient for a single student but is well below the poverty level for a family of 5. In order to maintain our Alaska residency to be eligible for PFDs, we're unable to apply for foodstamps, medicaid, or even I-Hawk insurance for our children (I-Hawk is Iowa's version of Denali KidCare). When I needed an emergency appendectomy last summer, we had no insurance and were not eligible for medicaid in Iowa because we refused to declare Iowa residency. Since we're not physically in Alaska, we're not eligible for Denali KidCare either. With the oldest of our three children just entering school this year, the exorbitant cost of childcare precludes my wife from working so our only "income" is student loans and PFDs. The "health insurance" offered to students may be sufficient for single students, but is cost-prohibitive for a family of 5.

Take away our 5 PFDs and we're left with nothing to replace them.

Take away our PFDs and we would have abandoned our Alaska residency years ago. As Iowa residents we could have become eligible for foodstamps, medicaid, and I-Hawk. Without PFDs to tie us back to Alaska, what incentive would we have to consider moving back upon graduation? Instead of stemming the so-called "brain drain", Paul Seaton's scheme would have the net effect of accelerating it.

I wasn't born in Alaska but all of my children were. I grew up in Alaska and grew to love the people and the country. My service in the Army and in the National Guard in Alaska permitted me to see remote corners of the state that few Anchorageites even imagine exist outside of a map. My years in Alaska as a field executive for the Boy Scouts of America provided me even more opportunities to love the state. I even convinced my wife to love Alaska more than her own home state. But steal our PFDs at a time when they are an essential portion of our budget, and the Legislature will be driving a wedge between the land and the very people that they're trying to attract back to live there.

They say that there are 17,000 Alaskans living "outside". If the PFD were

Subject: PFD

Date: Thu, 1 Apr 2004 16:36:50 -0800 (PST)

From: Thomas Sullivan <cpd44@yahoo.com>

To: Representative_Paul_Seaton@legis.state.ak.us

Rep. Seaton,

I appreciate your work for our fine state.

Please consider in your PFD holding bill regarding out of state applicants that MOST of them who are attending college depend on that annual dividend to survive on a student budget.

I know it was irreplaceable while I was an out of state recipient..

Tom Sullivan

Subject: re: PFD Bill

Date: Wed, 31 Mar 2004 18:02:34 -0900

From: "Marjorie Belieu" <mbelieu@pobox.xyz.net>

To: <Rep.Paul.Seaton@Legis.state.ak.us>

Dear Representative Seaton,

I understand that you have authored a bill to limit the PFD to college students while they attend college outside of Alaska. I find this portion of the bill outrageous. You propose that our children, whom we have raised for 18 years in this state and have gone to school here will not be entitled to their PFD until they return for a year! What about the people who have lived here only one year and receive their PFD's?

My children will have to register as out of state residents and pay out of state tuition when they attend school out of state. Their PFD helps them with their college costs and traveling back and forth to Alaska for summer jobs, and vacations. They are Alaskan's if any of us are.

I would like to see you remove college students as part of this bill. If they can vote, they can get a PFD. They, more than anyone else, need the extra funds. They are young and usually poor students. We are helping them succeed in life and every little bit our society gives them helps all of us. The cost of tuition is sky high and my children will have to take out college loans in order to complete college.

I strongly urge you to reconsider this bill and the ramifications it will have on our children.

Sincerely,

Marjorie Belieu

Subject: Permanent Fund and College Students

Date: Thu, 1 Apr 2004 11:42:30 -0900

From: "DeRuwe" <deruwe@arctic.net>

To: <Representative_Paul_Seaton@legis.state.ak.us>

Dear Representative Seaton:

As a voter in your district, I am writing to you in hopes of getting you to recant your proposal to take the permanent fund dividend checks out of the hands of college students until they return to the State after their college careers. With two college students in my family currently attending out-of-state institutions, I can personally attest to the importance of those checks in the hands of those students. They are barely making ends meet while paying out-of-state tuition rates because (this is important) they are Alaska residents. If they wished to live elsewhere, they could do so and not pay the out-of-state tuition! These students return to the state of Alaska for summer employment, vote in the State of Alaska, bank in the State of Alaska, and have no intentions of living elsewhere. They are no different than you and I, except they go to school outside, primarily to get educational opportunities that are not available here.

It seems like the legislature is really hitting this college population hard. There is your proposal to hold the permanent fund checks (with no interest yet). There is also the proposal for a \$100 income tax that is going around the legislature. The group of students that return each year to Alaska are the least able to afford this. Taken from the couple thousand dollars or so they make, plus their airfare just to get back and forth, you really are discouraging these people from returning to the state each year.

Step back and look at the situation from the point of view of a college student who wants to remain an Alaskan and returns each summer (like my kids). The student pays out-of-state tuition and airfare to come back and forth, so he/she is short on money anyway. They need the permanent fund to help make ends meet for their ever-rising cost of education. Now the state says they aren't going to give them their permanent funds for four years, and when they do get the dividend, they will be receiving less than every other citizen (this is discriminatory!) because the state will keep the interest. Add on to that a bill for \$100 each year right off the get-go, just to work. I think that many students would see this as incentive to establish residency elsewhere, further exacerbating the "brain-drain" problem that I think you would like to solve.

Please reconsider your position on this idea. College students need their permanent fund checks, should not be discriminated against, and should not be discouraged from returning to the State of Alaska.

Sincerely,

Dave DeRuwe
Seward, AK

Subject: Rep. Seaton's New PFD Bill

Date: Thu, 1 Apr 2004 14:06:48 -0900

From: "Ronald Wm. Drathman" <northstar@acsalaska.net>

To: "Representative Albert Kookesh" <Representative_Albert_Kookesh@legis.state.ak.us>,
"Representative Beth Kerttula" <Representative_Beth_Kerttula@legis.state.ak.us>,
"Representative Beverly Masek" <Representative_Beverly_Masek@legis.state.ak.us>,
"Representative Bill Stoltze" <Representative_Bill_Stoltze@legis.state.ak.us>,
"Representative Bill Williams" <Representative_Bill_Williams@legis.state.ak.us>,
"Representative Bob Lynn" <Representative_Bob_Lynn@legis.state.ak.us>,
"Representative Bruce Weyhrauch" <Representative_Bruce_Weyhrauch@legis.state.ak.us>,
"Representative Carl Gatto" <Representative_Carl_Gatto@legis.state.ak.us>,
"Representative Car' Morgan" <Representative_Carl_Morgan@legis.state.ak.us>,
"Representative Carl Moses" <Representative_Carl_Moses@legis.state.ak.us>,
"Representative Cheryll Heinze" <Representative_Cheryll_Heinze@legis.state.ak.us>,
"Representative Dan Ogg" <Representative_Dan_Ogg@legis.state.ak.us>,
"Representative David Guttenberg" <Representative_David_Guttenberg@legis.state.ak.us>,
"Representative Eric Croft" <Representative_Eric_Croft@legis.state.ak.us>,
"Representative Ethan Berkowitz" <Representative_Ethan_Berkowitz@legis.state.ak.us>,
"Representative Harry Crawford" <Representative_Harry_Crawford@legis.state.ak.us>,
"Representative Hugh Fate" <Representative_Hugh_Fate@legis.state.ak.us>,
"Representative Jim Holm" <Representative_Jim_Holm@legis.state.ak.us>,
"Representative John Coghill" <Representative_John_Coghill@legis.state.ak.us>,
"Representative John Harris" <Representative_John_Harris@legis.state.ak.us>,
"Representative Kelly Wolf" <Representative_Kelly_Wolf@legis.state.ak.us>,
"Representative Kevin Meyer" <Representative_Kevin_Meyer@legis.state.ak.us>,
"Representative Les Gara" <Representative_Les_Gara@legis.state.ak.us>,
"Representative Lesil McGuire" <Representative_Lesil_McGuire@legis.state.ak.us>,
"Representative Mary Kapsner" <Representative_Mary_Kapsner@legis.state.ak.us>,
"Representative Max Gruenberg" <Representative_Max_Gruenberg@legis.state.ak.us>,
"Representative Mike Chenault" <Representative_Mike_Chenault@legis.state.ak.us>,
"Representative Mike Hawker" <Representative_Mike_Hawker@legis.state.ak.us>,
"Representative Nancy Dahlstrom" <Representative_Nancy_Dahlstrom@legis.state.ak.us>,
"Representative Nick Stepovich" <Representative_Nick_Stepovich@legis.state.ak.us>,
"Representative Norman Rokeberg" <Representative_Norman_Rokeberg@legis.state.ak.us>,
"Representative Paul Seaton" <Representative_Paul_Seaton@legis.state.ak.us>,
"Representative Peggy Wilson" <Representative_Peggy_Wilson@legis.state.ak.us>,
"Representative Pete Kott" <Representative_Pete_Kott@legis.state.ak.us>,
"Representative Ralph Samuels" <Representative_Ralph_Samuels@legis.state.ak.us>,
"Representative Reggie Joule" <Representative_Reggie_Joule@legis.state.ak.us>,
"Representative Richard Foster" <Representative_Richard_Foster@legis.state.ak.us>,
"Representative Sharon Cissna" <Representative_Sharon_Cissna@legis.state.ak.us>,
"Representative Tom Anderson" <Representative_Tom_Anderson@legis.state.ak.us>,
"Representative Vic Kohring" <Representative_Vic_Kohring@legis.state.ak.us>

Dear Representative:

There is no logic in Paul Seaton's proposal to put a hold on college student's Permanent Fund Dividends while they attend school 'outside'? Mr. Seaton proposes holding up these Alaska resident's PFD until after they finish school and they return to Alaska and they live here again for a year. Even a cursory examination of this proposal shows that it is fatally flawed. <?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

Mr. Seaton states he is acting to prevent fraud. Well, if there really is fraud involved getting PFD's by college students, why not prosecute the defrauding students. If Mr. Seaton has any information at all concerning this type fraud, he should turn it over to the Department of Law, and he should also make it public. Present Alaska law provides strict penalties for PFD fraud, these include: the loss of all future dividends, requiring the paying back all dividends paid to date, and a fine of up to \$5,000.

The mentality of prosecuting an entire group of people for the transgressions, real or imagined, of a few is absurd. If any legislator has ever abused per diem, out-of-sessions 'official' expenses, should we eliminate this compensation for all Legislators?

Mr. Seaton's ill-conceived bill pits Alaskans against each other for no purpose. By Mr. Seaton's own word, he has introduced this bill because he has "heard" that a lot of college students are committing fraud by getting a PFD check. One would think that the Legislature should act upon "fact" not rumor.

Mr. Seaton also claims to be trying to stem the 'brain drain' by encouraging college students to return to the State of Alaska after college. In a very short sighted way, he is correct about this - - if legitimate students who are Alaska residents have their PFD cut off, they may be returning to Alaska sooner than they planned. Many of these students can't afford college without the PFD.

Has my daughter, any less claim to Alaska wealth than Mr. Seaton? She was born and raised in Alaska while he is, or was, a Californian, I believe. My daughter is attending Southern Oregon University. She returns home each Christmas break and works. She is also here, in Homer, working each summer. She will graduate next year and then enroll in the University of Alaska hoping to earn a Masters degree in special education teaching. Why should her PFD be 'lock boxed' until Mr. Seaton decides how and when she spends it? So far, she has spent it on her education.

By the same twisted logic, why should she be able to pay resident tuition at the University of Alaska - - why not charge her non-resident tuition and if she stays here for a year or so, then we can refund her over-payment. Same logic, same flaw.

Here's an idea. Why not make Legislators pay their own expenses, both living and official, and then let the public vote each year as to whether they are reimbursed or not?

When Mr. Seaton and my daughter both signed their PFD Application, they both certified that: 1. I am now and intend to remain an Alaska resident indefinitely. 2. I was an Alaska resident for all of 2003. And, 3. I haven't claimed residency in another state. I deeply resent Mr. Seaton's implication that he tells the truth and my daughter is may be lying. I am very disappointed in Legislators who preach less government interference in our lives and then try to control every aspect of it.

The 6,000+ Alaska students who attend school outside should not be punished for the whim of a Legislator. These students are trying to better themselves and deserve Alaska's support, not interference.

In summary, a person is either a resident or they're not - - if they are, and they fulfill all the PFD residency requirements, they are entitled to the full benefit of residency. This is only basic fairness.

Perhaps the State could save more by curtailing all financial assistance to, say, oh, the fishing industry, Mr. Seaton.

Ron Drathman
P.O. Box 12
Homer, Alaska 99603

907-235-7207

Subject: Bill introduced in state affairs - PFD

Date: Thu, 01 Apr 2004 23:14:31 -0900

From: Dan and Madelyn Walker <sixmilebb@alaska.com>

To: rep.paul.seaton@legis.state.ak.us

Dan and Madelyn Walker
6 Mile B&B
PO Box 112 33175 Stoney Creek Avenue
Seward, Alaska 99664
B&B Website <http://www.Alaskaone.com/6mile>

----- Original Message -----

From: "Dan and Madelyn Walker" <sixmilebb@alaska.com>

To: <rep.paulseaton@legis.state.ak>

Sent: Thursday, April 01, 2004 5:32 PM

Subject: Bill introduced in state affairs - PFD

> Representative Seaton:

> I can't believe you can afford to spend time micromanaging admission of
the

> PFD - if you truly want to encourage people to return to Alaska, spend the
> time on developing the kind of economy that creates good jobs for them to
> return to. I can't believe you would penalize military and college
students

> and hold their PF's hostage. They are entitled as Alaska residents - when
> they are no longer in school or military and still live outside, they are
no

> longer eligible. Caretakers of the fund can take care of fraud loopholes
> administratively - don't waste legislative time on it.

> I have a son in college "outside" who will graduate with almost NO debt -
> the PF was important to help sustain him in college. Without it he would
> have substantial debt - why should he pay interest on that because you
> withheld his PF to "encourage him to return". It's bologna.

> The legislature needs to quit looking to the "little people" to penalize,
> carry the load or shoulder the burden: the little tennis shoed grandma
> tourist, the poor smoker, our kids in the military, our college kids,
people

> who enjoy a beer.....have the guts to make a real change, take the
> issues straight on and show some leadership. Be statesmen, not
micromanagers.

> Madelyn Walker

> PO Box 112 Seward, Alaska 99664

>

Subject: HB 547

Date: Wed, 31 Mar 2004 19:57:55 -0600

From: "Joshua Wyatt" <wyatt@stolaf.edu>

To: <Representative_Paul_Seaton@legis.state.ak.us>

Dear Representative Seaton:

I recently read your new bill, HB 547, which proposes that dividend checks be withheld from persons with allowable absences, including full-time college students and those receiving or providing needed medical assistance. I would like to say that I am dismayed at this possibility. As an Alaska resident since birth, I have received the Permanent Fund check each year, and have thankfully been able to receive the dividend for the past three years of my enrollment in an Outside private college, as well.

As you know, the cost of obtaining a quality education is rising fast; my bill for next year exceeds \$30,000. The cost of college places a heavy strain on my family's financial situation; and our budget will be stretched even farther when my sister also begins college this fall. While the annual PFD may seem small in comparison to the total, each dollar received means one less dollar that I must assume in long-term debt through student loans.

In order to apply for each year's dividend, I must not only submit the application, but also provide certified documentation from my school showing my enrollment status, as well as account for all dates I spent outside the state during the year. There is also a requirement for returning to the state for 72 consecutive hours.

While I would support efforts to reduce dividend fraud, perhaps we could more closely scrutinize "allowable absence" applications, rather than withhold the money from those small number of persons, many of whom really do rely on the added income.

-Joshua Wyatt '05
resident: Eagle River, Alaska
wyatt@stolaf.edu

Subject: HB547

Date: Mon, 5 Apr 2004 21:44:45 -0500

From: "Deanna Roberts" <meltingdino@hotmail.com>

To: <Representative_Paul_Seaton@legis.state.ak.us>

Dear Representative Seaton,

My name is Senior Airman (SrA) Deanna Roberts. I was born and raised in Fairbanks Alaska until I was 21 yrs old, at which time I joined the Air Force to serve my country. It has come to my attention that my Alaska Permanent Fund Dividend is being threatened by the legislature. I am very disappointed that Alaska would turn its back on its residents just because they are serving in the military.

House Bill 547 is not fair to those who serve in the military; it is also not fair to those students who just want to expand their education farther than the University of Alaska can do, although they would be able to get their dividend back after they finish school.

I understand the frustration of non-residents coming to Alaska for four years military service, then leaving with no thought of really returning, yet still collecting the dividend until they retire. But isn't there a better way of protecting the dividend, such as allowing the military to get their dividend out of state only if they lived in Alaska for more than seven years before they joined? Most military tours consist of four years - sometimes their tour is extended a little but the ones who don't really love Alaska will leave after four years.

Most enlisted men and women do not have a choice on where they are posted - they are allowed to request Alaska as a duty station, but their "dream sheet" seems to be rarely ever considered. They sometimes don't even have a choice of how long they remain in the military, as when certain career fields were put on stop loss recently.

I understand that HB547 would hold the dividend for up to 10 years but even that isn't good enough - a military person isn't considered for retirement until they have been in for 20 years. We do not get a year furlough every 10 years! There is no way we can return home to live for a year, then resume our service. So if I were to retire after 20 years and come back to Alaska I would lose all those dividends in-between. That is not much thanks to military personnel for being sent to Iraq and with the constant possibility of dying for their state and country.

I am currently serving in San Antonio, Texas at Brooks City-Base in a special duty assignment and if I had known that Alaska would hold my dividend while I was serving in the military I probably wouldn't have joined. Bill 547 discourages other young residents from serving their country. Please don't punish Alaska residents for joining the military!

SrA Deanna Roberts
USAF

Subject: HB 547 -- PFD: Delay Payment for Allowable Absences

Date: Mon, 05 Apr 2004 20:06:42 -0800

From: Tom Gemmell <gemmell@gci.net>

To: Representative Bruce Weyhrauch <Representative_Bruce_Weyhrauch@legis.state.ak.us>, "Representative John B. Coghill Jr" <representative_john_coghill@legis.state.ak.us>, Representative Bob Lynn <Representative_Bob_Lynn@legis.state.ak.us>, Representative Paul Seaton <Representative_Paul_Seaton@legis.state.ak.us>, Representative Ethan Berkowitz <Representative_Ethan_Berkowitz@legis.state.ak.us>, Representative Max Gruenberg <Representative_Max_Gruenberg@legis.state.ak.us>, Representative Beth Kerttula <Representative_Beth_Kerttula@legis.state.ak.us>, Senator Kim Elton <Senator_Kim_Elton@legis.state.ak.us>, Representative Jim Holm <Representative_Jim_Holm@legis.state.ak.us>

Dear Representatives,

I am opposed to HB 547 and recommend that your committee kill the bill. This bill is an insult to military personnel and to all families trying to obtain college or vocational education for their children.

The statutes on the books are adequate to weed out those who do not intend to remain residents of Alaska. If there is a class of people (e.g. retired state workers, teachers, nurses, fishermen, military) that is attempting to beat the system, let's see the evidence and then let the existing system work.

If you really feel this is a viable tool to weed out people who don't really intend to remain residents, apply it on a random basis to 25% of all Alaskans. Hold people's dividends without interest for ten years, then return the dividend to the survivors after it has lost value due to inflation. If this is a truly "fair" proposal then you should receive positive feed back about how great an idea this is.

Military personnel and their families are subjected to many indignities. The Congress and many Administrations have failed to provide promised pay parity over the years and short-change widows; working conditions have often been poor, and living conditions less that adequate. The military family and retiree medical care system (Tricare) is so poorly funded that many Alaska medical providers refuse to accept it. Add in stressful deployments and frequent moves and you can see some other negative impacts.

My Alaska residency began August 15, 1950 and I served 30 years active duty in the U.S. Coast Guard. I served for sixteen years in Alaska -- during that time I did not come across any crew members who tried to beat the system by falsely claiming residency.

Passage of HB 547 would be an insult to our service members and I hope that you have better things to do with your time.

Sincerely,

Thomas M. Gemmell
Captain, U.S. Coast Guard (Ret)
3201 Nowell Ave
Juneau, AK 99801-1933

Subject: Regarding HB 547

Date: Wed, 31 Mar 2004 09:53:45 -0900

From: Gigi Pilcher <warriorwoman@kpunet.net>

To: Representative_Paul_Seaton@legis.state.ak.us,
Representative_Bruce_Weyhrauch@legis.state.ak.us

Dear Rep. Seaton and Rep Weyhrauch,

I read this morning about the proposed plan you are sponsoring to keep the permanent fund checks from active duty military personnel.

My son was born and raised in Alaska.

He attended the Alaska Military Academy (formerly the Alaska National Guard Youth Challenge Corps) and graduated from it at the age of 16 with his GED.

He used his stipend from the program to enroll in college classes so he could earn enough college credits to enlist in the U. S. Marine Corps.

On his 17th birthday we signed the papers and he left for basic training on June 3, 1996.

My son will be turning 25 next month, (April 30th). He is a Sgt. in the U.S. Marine Corps.

He comes home twice a year except for when he is on a MEU (float), then he comes home at least once.

Last March, right about now he was entering Iraq where he stayed until September 15, 2003.

While serving there, he received a commendation for his bravery.

http://www.sitnews.us/1103news/111203/111203_zack_pilcher.html

My son was twice hospitalized while in Iraq.

He was willing to die for our country and almost did twice while in Iraq.

Is my son's service to this country any less than that of Senator Stevens ?

I do know he is paid far less than a senator is.

Before he left last March he came home to Alaska for two weeks in February.

When he got back from Iraq he came home for Christmas for three weeks. **He is now getting ready to return to Iraq.**

I can't believe that there are people who would deny him his permanent fund check. He has maintained his residency.....he comes home when ever he can.

He loves Alaska and hopes to return here after he completes his career in the Marine Corps.

This proposal is a slap in the face for any Alaskan who serves in the military. Alaskans have always proudly served their country.

Now....they are going to be penalized for this ? At a time when our country needs people to serve in the armed forces.....you come up with this idea.

As far as I know we (the United States) is still at war..... It is getting harder and harder for our military to keep up a volunteer force. What a way to show my son and other Alaskans our "appreciation" for their service.

I also think it is ironic that the permanent fund application are going to be used to sign up for the selective service.....

I hope that you will reconsider this terrible idea.

Thank you,

Gigi Pilcher, Blue Star Mother- Ketchikan, Alaska

Proud Mom of Sgt. Zachary Pilcher, U.S.M.C.

Subject: Withholding PFD checks to soldiers and students

Date: Wed, 31 Mar 2004 10:06:17 -0900

From: "Donn Ketner" <donnmketner@hotmail.com>

To: Representative_Paul_Seaton@legis.state.ak.us

CC: truenorthventures@gci.net

Withholding checks from soldiers and students until they prove they intend to reside in Alaska is not a good idea. Soldiers need all the support that they can get, as do students. A person born and raised in Alaska deserves to be supported in either of these situations. The State pays alcoholics and addicts the PFD check just for being in State even if they are burden on society. PLEASE DO NOT WITHHOLD FUNDS FROM THOSE PEOPLE FIGHTING FOR OUR COUNTRY AND THOSE TRYING TO DO SOMETHING WITH THEIR LIVES.

Get tax tips, tools and access to IRS forms – all in one place at [MSN Money!](#)

Subject: Bill to delay payment of PFD to soldiers and students

Date: Wed, 31 Mar 2004 10:18:23 -0900

From: "Donn Ketner" <donnmketner@hotmail.com>

To: Representative_Norman_Rokeberg@legis.state.ak.us

CC: Representative_Paul_Seaton@legis.state.ak.us

To the Honorable Representative Norman Rokeberg,
Representative Seaton of Homer has introduced a bill to
withhold PFD checks from soldiers and students until they
return to Alaska to live for one year. (no interest)
BAD IDEA. Soldiers born and raised in Alaska who are
fighting for our country need all the help they can get.
Also students need \$\$ for college and are making something
of their lives. Yet the State continues to pay alcoholics
and those who choose not to work and are a drain on our
community and resources? I am a voter in your district and
admire the work you have done. I am sure you will do the
right thing and kill this bill.

Sincerely,
Donn Ketner
3884 Caravelle Drive
Anchorage, Alaska 99502

All the action. All the drama. Get NCAA hoops coverage at MSN Sports by ESPN.

Subject: HB 547

Date: Wed, 31 Mar 2004 11:48:16 -0900

From: "Sara Faulkner" <faulkner@pobox.alaska.net>

To: <Representative_Paul_Seaton@legis.state.ak.us>

4621 West Hill Road

Homer, AK 99603

March 31, 2004

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

Dear Representative Seaton,

I am writing in response to the article in today's Anchorage Daily News regarding House Bill 547 and its proposed changes to the Permanent Fund dividend for students attending school out of Alaska. I strongly oppose these changes for many reasons.

House Bill 547 proposes to penalize Alaska's future leaders. These students depend on the Permanent Fund dividend to help pay for their educational expenses. Many of these students have opted for a more expensive education outside Alaska because the quality and/or programs they seek to pursue are not available here. Like the rest of us, these students must sign that they are Alaska residents and intend to return here to live. Their families live in Alaska. This is their home. Why penalize them for trying to better themselves, to bring their gains home?

While I understand your proposal is to pay the back dividends upon their return to Alaska, this is too late for many of these kids. They need the money while they are in school to pay for their education, not later.

I respect and appreciate your intent to crack down on dividend fraud. I am not sure of the current requirements for a student out of state to collect dividends, but here are some of my ideas for an alternative proposal:

1. Did the student collect a dividend the year prior to leaving the state for education? If so, this shows that the student's home is Alaska at the time that he left for educational reasons, and I would still consider this student an Alaskan resident to qualify for current dividends.

2. Is the student enrolled in a different state's educational system as an in-state resident to receive reduced in-state tuition? If so, then I agree that the student should not qualify as an Alaskan resident, nor receive a dividend. This is effectively double-dipping residency and should not be allowed.
3. If over 18 years of age, is the student a registered Alaskan voter? If over 16 years of age, does the student have an Alaskan driver's license? If over 14 years of age, does the student have an Alaskan driver's permit? Each of these helps to define the student's identity and commitment to Alaskan residency.
4. Does at least one of the student's parents live in Alaska and qualify for a dividend? This helps define the student's home. If the family has left Alaska and is living in another state, it weakens his argument that Alaska is his home. If a student has lived in Alaska prior to leaving for education, and his family still lives in Alaska and qualifies for a dividend, then I would still consider Alaska his home.

Many of the students who depend on the dividend for education have lived in Alaska their whole life. When budgeting for education the family has depended on the dividend to help finance the costs. To delay dividend payment for these kids limits their educational choices, as many families cannot qualify for additional loans to finance the gap left when stripped of the dividend.

I am also opposed to blackmail as a way to motivate people. The way to motivate these students to return to Alaska is to provide a strong economy where they can find jobs. Focus on the positive aspects of Alaska and what we have to offer these kids when they come back. I think many of these students want to return to Alaska, but they have trouble finding good jobs. Let's be competitive economically, and make it possible for these kids to come back. In my husband's family all seven children were born and raised in Anchorage, all left Alaska for schooling, and now all have returned to raise their families in Alaska. They came back because they wanted to be here and share this life with their kids, not because they were blackmailed into coming back. They came back happily, not bitter and angry. The last thing I want in Alaska are a bunch of bitter college graduates, waiting out their one year probationary period on unemployment so that they can collect their past dividends. Focus on the positive, and the building of opportunities, rather than negative, unwelcoming threats.

I strongly urge you to reconsider House Bill 547 and its implications for our State's students. Don't strip them of their opportunity to improve themselves. Today's students are tomorrow's leaders; let's do all we can to support their hard work and determination to lead us into a better Alaska in the future.

Sincerely,

Sara Faulkner

Subject: general

Date: Wed, 31 Mar 2004 13:34:50 -0800

From: "candy" <candy@xyz.net>

To: <Representative_Paul_Seaton@legis.state.ak.us>

Greetings Paul, I want to voice our strong opposition to the HB547 that would defer PFD payment to students that pursue educational opportunities outside the state of Alaska. Many families and students depend on the PFD to finance their education so they can return to Alaska and be productive. We are not in favor of the deferred payment for students. Jim and Candy VanOss

Subject: PFD fraud

Date: Wed, 31 Mar 2004 07:24:36 -0500

From: "JMSegalla" <msegalla@maine.rr.com>

To: <Representative_Paul_Seaton@legis.state.ak.us>

Dear Mr. Seaton,

I read with interest the article in the Anchorage paper about the house bill you are sponsoring concerning the PFD and out-of-state Alaskans. As the spouse of an active duty military member, I am sorry you feel that way about us. As much as we love the state of Alaska, and can't wait to move back there, my husband has very little choice about where he is stationed. We've been stationed in Alaska for a total of 6 years over 2 duty stations, and would love to come back.

We very much plan to move back to Alaska as soon as we can. Whether it's with the military or after my husband retires, we WILL be back in state. I am tired, though, of feeling like "less than a citizen" because of sentiments like yours. I am tired of having to justify and fight for my right to be called an Alaska citizen. It's just that kind of mentality that will keep us away. If we don't feel welcome, WHY would we come back???

If the legislature wishes to use the Permanent Fund on government, then I'm sure you will find a way to do that. Nothing any public citizen does will stop you. I have great shame that the Honorable Governor, a retired military member himself, has said nothing. I find it interesting, too, that in your bill, the Alaskan Congressional delegation would be exempt. I guess the duties of the Honorable Ted Stevens are much more important than those of active duty military dying for your country. And once again politics speaks louder than any person.

Sincerely,
Megan Segalla

Subject: PFD Bill

Date: Wed, 31 Mar 2004 11:35:19 -0500

From: "Brian Martin" <brianmartin@sofast.net>

To: "The Honorable Paul K. Seaton" <Representative_Paul_Seaton@legis.state.ak.us>

Brian Martin
914 Joshua St
Great Falls, MT 59405

March 31, 2004

The Honorable Paul K. Seaton
House of Representatives, Room 428
Juneau, AK 99801-1182

Dear Representative Seaton:

Mr. Seaton,

I am writing you in response of your new bill to cut down on PFD frauds. While I do agree with you that there needs to be something done to stop people from abusing the system I am extremely disappointed with your proposal to keep military members from getting their dividends until they return home. As a member of the Air Force I am proud to serve my country, but I have very little if any control over where I can live, the needs of the Air Force must come before my own. I still own a home in Alaska and am trying very hard to keep it so I will have somewhere to live once I am allowed to move back. I have always felt that the state of Alaska strongly supported our military folks, but I must say that as read the paper this morning I felt very betrayed by my state. My family counts on the dividends every year. We have been trying to invest that money for our children to attend college since we will more than likely not be able to afford it any other way. Not only would your proposal not allow us to do continue doing so, but also we would not receive interest on the money we missed. How somebody could put a bill forward that would take money away from our military families in this day and age is completely beyond me, and I believe you and your peers who plan to vote for this bill should be ashamed of yourselves. Another thing that is puzzling to me is why is the Alaska Congressional Delegation more important than the men and women of our armed service? While I agree that Senator Stevens is a great man who has done a lot for our state he certainly does not need the extra money as much as our military folks do. I guess it is much easier to pick on the little guy. I guess I don't need to say I hope you will reconsider your bill. While it may look good on paper is it worth it when you consider the families you are going to hurt.

Very Respectfully
Brian Martin

Sincerely,

Brian Martin

Subject: HB 547

Date: Wed, 31 Mar 2004 07:47:10 -0900

From: Genie Bill and Madelin Siedler <siedler@mtaonline.net>

To: <representative_paul_seaton@legis.state.ak.us>

I read with great dismay today that your bill plans on holding the PFD checks of worthy Alaskans because you don't trust them. The Alaskans we are talking about are thousands of struggling college students, military families, terminally or seriously ill Alaskans and their families. I don't see the benefit of denying them their money when it is due. They won't need it later, most of them need it now! I see this bill as petty, bureacractic, greed driven, and unfair. It represents the worst of the abuse of power of the state. For the few that may be bilking us you plan on punishing the rest, who happen also to be Alaskans who are most in need of our support. I have no college students who qualify for the PFD, I am not military and at the moment do not need to be out of state because of family illness. I just don't think it is in the right spirit of the majority of Alaskans. I urge you to reconsider this idea.

Subject: HB 547 PFDs for tudents/military/mailbox holders

Date: Wed, 31 Mar 2004 09:51:33 -0900

From: Pat Johnson/Anne Kilkenny <kiljohn@gci.net>

Reply-To: Anne Kilkenny <annekilkenny@hotmail.com>

STUDENTS. Many high school graduates CHOOSE to turn down free tuition at our University for colleges outside; if they choose to turn down a tuition-free education here, they can also wait for their PFD check until they return. This will slow the "brain drain".

* However, I think there should be a reasonable amount of interest added to PFD checks held.

MILITARY. I don't think the military should be treated differently from everyone else; everyone living/moving outside must SHOW an intent to return. To show "intent to return" one must prove ownership of a year-round inhabitable dwelling with an annual property tax assessment in excess of the amount of the PFD. This should be required of everyone having a check sent to an outside address. Proof of ownership and PFD eligibility could be verified by property tax rolls.

[I also like the idea of holding their PFD check until they return. Again, I think there should be a reasonable amount of interest added.

POST OFFICE BOX HOLDERS should be required to show that they are residents, either by indicating their property tax account number, or getting their landlord/building manager to verify their tenancy in a rental unit.

ADDING INTEREST won't cost us much, as unpaid dividends will continue to earn interest for the State.

Thorny issue--someone will always be hurt and slip thru the cracks, and there will always be cheaters.

Anne Kilkenny
376-6225

Interest

Thanks for your ear,
Brian Fleming
Illinois Institute of Technology

Subject: House Bill 547

Date: Wed, 31 Mar 2004 09:39:03 -0600

From: "Brian T. Fleming" <flebri@iit.edu>

To: Representative_Paul_Seaton@legis.state.ak.us

Greetings.

I'm an Alaskan born boy who is currently attending college in Chicago. Last summer I worked at Boeing in Seattle. All evidence would seem to suggest that I probably won't be returning to Alaska after I graduate.

That doesn't mean that I don't want to. I love my home state more than anything. Nearly every day for the past 5 months I've tried desperately to try to find interesting work for an Aerospace Engineer that fits my interests. I met with the CEO of the Alaska Aerospace Development Corporation in person during my spring break just two weeks ago. I've written the UAF department of Engineering suggesting that with the University's close proximity to the Poker Flats research range (hence, rockets) that an Aerospace Engineering program would be a strong yet simple addition to their already above average programs (and create jobs for people like me to be professors). I've written the governor and our US Senators. In my head I've been fighting the same battle for three years now; Do I follow my career dreams and leave the land I love or do I sacrifice the goals that I've had since I was two and settle for a sub-par Engineering job well beneath my training and capabilities to stay in Alaska.

This Conundrum is not unique to me. I know at least 8 other Alaskans at my University alone who feel exactly the same and many more friends from High School around the nation in all sorts of different majors. The Alaskan brain drain is not the result of our young growing up and wanting to leave, but rather the result of us being forced to make this very difficult choice.

When I read about House Bill 547 this morning on adn.com, I was actually very pleased with it. I've been following the news as closely as I can from 2849 miles away and I agree that too much pfd money is being sent out of state, although I believe that the biggest drain is due to people who work seasonal jobs (such as fishermen) and then leave state for the winter. I know more than a handful of people who do this and still receive a dividend.

What dismayed me was that the article said "An incentive is needed to help retrieve them, Seaton said, and a waiting pile of dividend checks might just be it."

It's not about the money. Contrary to what many lower 48'ians might believe, nobody ACTUALLY lives in Alaska because they get a \$1000+ check every year for it (the aforementioned fishermen, miners, oil workers etc. excluded). The only thing that will stem the brain drain is jobs. Real jobs. Jobs that are interesting and have real world impact.

I have a slew of suggestions ranging from building a particle accelerator in Fairbanks to incentives for manufacturing companies (we produce very little that isn't a raw material), but I won't list them all now. My point in this all is that while I support the spirit of initiatives like House Bill 547 because it helps keep money in Alaska where it belongs (though it would mess up my finances), the same amount of students will leave the state as before.

\$1500 again, that would be about \$25M held back in Alaska. Since these "ex-pat Alaskans" won't see a dime of interest on their PFDs, at 5% that is an extra \$1.25M dribbling into some state coffer.

Is it worth \$1.25M/year to alienate those very students and veterans from returning to Alaska?

I would love to see the Legislature propose some real incentives for students to return to Alaska. The ACPE's new AlaskAdvantage student loan programs are a step in the right direction, offering interest rate incentives to return to Alaska. But to offer real incentives will cost real money, and I don't expect to see the return of loan forgiveness programs anytime soon. Withholding PFDs is not a "carrot", it is a "stick". It is not an incentive to return to Alaska; it is punishment for pursuing higher education in the first place.

This law, if passed, will not apply to me since it is dated to take effect on Jan 1 2005. I will be back in Alaska by this time. But for the 16,999 other "ex-pat Alaskans", this will come as a heavy blow.

Please kill HB547.

David Prentice

Subject: [Fwd: perm fund overhaul]
Date: Wed, 31 Mar 2004 16:02:49 -0900
From: Lauren Radcliffe <Lauren_Radcliffe@Legis.state.ak.us>
Organization: Alaska State Legislature
To: Chris Knight <Chris_Knight@legis.state.ak.us>

Subject: Re: perm fund overhaul
Date: Wed, 31 Mar 2004 16:00:41 -0900
From: Paul Seaton <Representative_Paul_Seaton@Legis.state.ak.us>
Organization: Alaska State Legislature
To: The Spragues <sprague@alaska.com>

Hi Jack,
Thanks for the note. The fraud aspect is important, but I think it is equally important to give people any incentive we can to return to the State.
Thanks again.
Paul Seaton

The Spragues wrote:

> Paul. I am not a completely blank name.....You bought my steel scow
> , which now resides in Homer Harbor. I sat with you on the Aquaculture
> board years ago. Anyway enough of identification. I think your idea
> regarding the permanent fund is right on track. You can't know how
> many service people , teachers, etc. that are ripping off the
> system. I feel that your idea of holding the check for a year after
> return of these "residents" will solve several problems.. It will
> provide a bit of money for the state, make honest folks out of a lot of
> people and reward those who are sincere about returning to the state. I
> support the idea 100%. Nice talking to you. Keep doing a good
> job. Jack Sprague sprague@alaska.com
>
>

Lauren C. Radcliffe <Lauren.Radcliffe@legis.state.ak.us>
Legislative Aide
Office of Representative Paul Seaton
1-800-665-2689

Subject: PFD Payment hold

Date: Thu, 1 Apr 2004 03:28:56 -0900

From: "Stevens, Brian D" <StevenBD@BP.com>

To: <Representative_Paul_Seaton@legis.state.ak.us>

Dear Representative Seaton;

BRAVO!

I congratulate you on sponsoring the bill to hold PFD payments until people return to the State.

This is a long overdue action that, I hope, will make it's way to the Governor and his approval.

For too long, people been receiving these payments with no intention of returning to the State. Finally, someone has stood-up and offered a solution to the ongoing unchecked cases of fraud.

In regards to the military, I was in the Coast Guard for eleven years and spent most of my time in Kodiak. Perhaps there could be some language in the Bill stating that payments would be held until the military member could return and resume their residency. This way, even if they could not get stationed in the State, their money would be waiting here for them when they were discharged or retired.

Once again, thank you and I wish you the best of luck with your proposal.

Respectfully,

Brian D. Stevens
11500 Bells Flats Road
Kodiak, AK 99615

Subject: PFD Proposal**Date:** Thu, 1 Apr 2004 07:07:05 -0900**From:** Ann Bayes <bayes@xyz.net>**To:** Paul Seaton <representative_Paul_Seaton@Legis.state.ak.us>**CC:** Chris_Knight@Legis.state.ak.us

Hi Paul,

Your proposal to withhold dividends from college students and others until they return to Alaska has merit, but I strongly object that there would be no interest or investment earnings attached when they return and become eligible to receive them.

Why not pool those funds and create an investment share, the value of which would fluctuate based on earnings/losses of the pooled PFD \$\$'s being held and invested? You would then also teach them how investing for the future really works. If the average student spends 5 years Outside, he/she will have enough years of investing to weather the historical average for stock market dips. When interest rates are as low as they are now, conservative investors don't make but a few percentage points worth of interest on certificates of deposit, but that has not been nor will it always be the case. Like the fund itself, there would be years of potential losses.

Our two daughters chose to return to Alaska after college; David plans to do the same. During their college years, Michelle's and Erica's PFD's were allowed to earn for them so that they had money to payoff student loans when they graduated. This in turn is allowing them to become taxpaying home owners while accepting whatever jobs the local economy has to offer. David has invested his money in the startup of his Alaska-based fishing charter business while still in school. In the past 12 months, the State of Alaska has received an amount in licensing and fees equal to or greater than his PFD of 2003, the Kenai Borough has received sales tax revenue, and the local economy has seen purchasing of goods and services equal to his lifetime worth of PFD's.

Do not punish the students/residents who do want to come back and use their PFD funds wisely while tightening up on those who don't.

Thanks,
Ann and Bruce

[Fwd: dividend moneys]

Subject: [Fwd: dividend moneys]

Date: Wed, 31 Mar 2004 15:49:19 -0900

From: Homer LIO <Homer_LIO@legis.state.ak.us>

To: Representative Paul Seaton <Representative_Paul_Seaton@legis.state.ak.us>

I have forwarded your email to Representative Paul Seaton. -charlene

Subject: dividend moneys

Date: Wed, 31 Mar 2004 14:29:00 -0900

From: "goshorn" <goshorn@acsalaska.net>

To: <Homer_LIO@legis.state.ak.us>

Sir my son was in army in 1986 ,he recieved may be 2 checks , then he was sent a form to fill out , he could not remmber all the dates that were required on the fcrm , and so he gave them up . we didnt know that he could have kept getting them. I believe that most will not return to alaska ,there fore i believe that your idea is agood one. Thank You Maxine Goishorn

Subject:

Date: Wed, 31 Mar 2004 19:48:23 -0500

From: "Frank, Dan" <DFrank@ene.com>

To: "'Representative_Paul_Seaton@legis.state.ak.us'" <Representative_Paul_Seaton@legis.state.ak.u

Dear Representative Seaton,

Although I do not live in your district, I did meet you during the ACV fly-in two weekends ago. You struck me as thoughtful and balanced. I am writing you to express my support for HB 547. I think it is an excellent idea. How is this for an idea: bank all PFDs for those under the age of 18, and pay out only when they graduate from high school, or have a documented disability proving their inability to complete high school. Any money left goes back to education.

Respectfully,

Dan Frank
1105 East 11th, Apt. 3
Anchorage, AK 99501

Subject: HB 547

Date: Fri, 2 Apr 2004 09:37:05 -0900

From: "Richard Hahn" <rdhahn@cagle.ptialaska.net>

To: <Representative_Paul_Seaton@legis.state.ak.us>

Dear Mr Seaton, HB 547 should have been introduced years ago. The need to reduce access to the PFD by anyone who can get it simply by saying they will return to Alaska "sometime" is long overdue. I strongly support your bill!! However, I don't think it goes far enough. Based on my observations of "snowbirds" in my community, I believe that PFD fraud is rampant in Alaska and ENFORCED safeguards are necessary to save the State even more money. I would guess that 3-5 State investigators would much more than pay their salaries with reviews of documentation of people who claim they are residents but spend only 4-5 months (or less) per year in State--and claim the PFD anyway. Alaska has become very lax about the PFD residency enforcement and opportunistic people take advantage of that. I would even be so bold as to suggest the PFD residency requirement should be 9 months per year instead of 6 months. In any event, I am glad you had the intestinal fortitude to try to save the State some money without penalizing working Alaskans. Thank You!! Sincerely, Dick Hahn

Richard Hahn
P.O. Box 2754
Soldotna, Alaska, 99669
907-262-8575
rdhahn@cagle.ptialaska.net

Representative_Bill_Stoltze@legis.state.ak.us,
Representative_Bruce_Weyhrauch@legis.state.ak.us,
Representative_Bill_Williams@legis.state.ak.us,
Representative_Peggy_Wilson@legis.state.ak.us,
Representative_Kelly_Wolf@legis.state.ak.us, Senator_Con_Bunde@legis.state.ak.us,
Senator_John_Cowdery@legis.state.ak.us, Senator_Bettye_Davis@legis.state.ak.us,
Senator_Fred_Dyson@legis.state.ak.us, Senator_Johnny_Ellis@legis.state.ak.us,
Senator_Kim_Elton@legis.state.ak.us, Senator_Hollis_French@legis.state.ak.us,
Senator_Lyda_Green@legis.state.ak.us, Senator_Gretchen_Guess@legis.state.ak.us,
Senator_Lyman_Hoffman@legis.state.ak.us, Senator_Georgianna_Lincoln@legis.state.ak.us,
Senator_Scott_Ogan@legis.state.ak.us, Senator_Donny_Olson@legis.state.ak.us,
Senator_Ralph_Seekins@legis.state.ak.us, Senator_Bert_Stedman@legis.state.ak.us,
Senator_Ben_Stevens@legis.state.ak.us, Senator_Gary_Stevens@legis.state.ak.us,
Senator_Gene_Therriault@legis.state.ak.us, Senator_Thomas_Wagoner@legis.state.ak.us,
Senator_Gary_Wilken@legis.state.ak.us, Shawn Jackinsky <tavarish@acsalaska.net>,
James Matlock <jandk@mtaonline.net>, aianderson@anmc.org,
Shawn Jackinsky <tavarish@acsalaska.net>

This bill makes great sense. A military person can come to Alaska, Claim to be an Alaska resident and get PFD. Never vote, Get Alaska Auto tags or establish any of the thing that are required to show residency. When the are reassigned they and thier families contitue to collect PFD. Many of these never reurn to Alaska. I know many of these people.

Subject: Hooray!

Date: Thu, 01 Apr 2004 14:35:19 -0900

From: PATRICIA L WIGHTMAN <patti_wightman@dot.state.ak.us>

Organization: Alaska DOT & PF

To: Representative_Paul_Seaton@legis.state.ak.us

Representative Seaton: I also have long been disgusted with the law that allows folks to move outside the state and continue to collect PFD's. I have heard from a few military folks that when they move up here, they can change their Home of Record to Alaska, then, when they are sent out of state, they can continue to collect the permanent fund until they get out of the military or retire from the military and choose not to come back to Alaska. It's outrageous. I am proud of you for addressing this issue. I have to say, though, that to make an exception for congressional delegates doesn't seem fair to me either. They should be aware when they run for office that if they are elected, it means giving up the PFD.

Wightman, Patricia <patti_wightman@dot.state.ak.us>

Regional Environmental Coordinator

DOT&PF

Environmental



Jim Wilson / Guide

Kings Silvers Halibut

March 30, 2004

Rep. Paul Seaton
State Capitol, Room 428
Juneau, AK 99801-1182

Dear Representative Seaton,

Your House Bill 547 is long overdue.

I am reminded of the elderly gentleman I met on a flight from Seattle to Anchorage some years ago. During our discussion, he proudly told me that he and his wife were retired and had left Alaska to live in Phoenix, Arizona, but they continued to collect their Alaska Longevity Bonus and Permanent Fund checks. Although we were on a civilian flight, he told me that as retired military, he usually flew at no cost to Anchorage on military aircraft to pick up and deposit the monthly checks that were mailed to one of his rental properties. Since the rental property was leased by a friend, he also had a chance to visit with him and other old friends and, in effect, was receiving a paid vacation each month.

Since then, I have met several active military personnel through my business who receive Permanent Fund Dividend checks. Yet, during our discussions it became obvious to me that they had no intention of returning to Alaska after the completion of their military service. And yes, we are all grateful for their service, but fraud is fraud no matter how it presents itself. In effect, it seems to me that Alaska's military bases are producing a growing number of PFD recipients who must marvel at their good fortune when they and their families leave Alaska, knowing they will not return but will collect payments for many years to come.

The bottom line: I support your Bill as a positive step in the right direction and I hope it leads to additional measures that will distribute Alaska's wealth only to permanent residents of Alaska.

Sincerely,

A handwritten signature in black ink that reads "Jim Wilson".

Cc: Sen. Ben Stevens
Sen. Johnny Ellis
Rep. John Coghill
Rep. Ethen Berkowitz

Subject: Withholding of PFD--Military, etc.

Date: Mon, 05 Apr 2004 03:34:44 -0800

From: "Keith Muschinske" <keithmuschinske@hotmail.com>

To: Representative_Paul_Seaton@legis.state.ak.us

Rep Seaton,

As an Alaska resident and one who would be directly affected by the bill you have recently introduced, let me say both my wife and I wholeheartedly SUPPORT your efforts. I am currently serving in the military and will probably be "stuck" Outside for another eight years or so before we can return home. My family became residents immediately upon arriving in Alaska in July, 1999--I truly wish I'd visited Alaska 25 years ago because there is no doubt I would have remained there all those years.

I suggest the PFDs of those in the military like me who have become residents of Alaska "primarily" by virtue of being stationed there be withheld until our return. There is no question many in the military take the PFD without any intention of returning to Alaska; there is also no question there are those like us who have already bought land in Alaska and live for the day we can return--from such remote Outside locations as Alabama!

Keith Muschinske

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<http://join.msn.com/?pgmarket=en-us&page=hotmail/es2&ST=1/go/onm00200362ave/di>

Subject: PFD

Date: Wed, 31 Mar 2004 13:25:55 +0000

From: "John Neale" <neale_john@hotmail.com>

To: Representative_Paul_Seaton@legis.state.ak.us

Mr Seaton, I'm writeing this e-mail to say I support your house bill 547. Myself and my family have been receiving the PFD since 1983. I support anything that would stop the stealing of the PFD by nonqualified persons.

John Neale, Palmer Alaska

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Subject: perm fund overhaul

Date: Wed, 31 Mar 2004 08:56:29 -0900

From: The Spragues <sprague@alaska.com>

To: Representative_Paul_Seaton@legis.state.ak.us

Paul. I am not a completely blank name.....You bought my steel scow , which now resides in Homer Harbor. I sat with you on the Aquaculture board years ago. Anyway enough of identification. I think your idea regarding the permanent fund is right on track. You can't know how many service people , teachers, etc. that are ripping off the system. I feel that your idea of holding the check for a year after return of these "residents" will solve several problems.. It will provide a bit of money for the state, make honest folks out of a lot of people and reward those who are sincere about returning to the state. I support the idea 100%. Nice talking to you. Keep doing a good job.

Jack Sprague sprague@alaska.com

Subject: Comment on Bill 547

Date: Wed, 31 Mar 2004 10:48:42 -0900

From: Jerry Quinn <mightyquinn@gsi.net>

To: Representative_Paul_Seaton@legis.state.ak.us

CC: Representative_Bob_Lynn@legis.state.ak.us,

Representative_Bruce_Weyhrauch@legis.state.ak.us,

Representative_John_Coghill@legis.state.ak.us,

Representative_Max_Gruenberg@legis.state.ak.us, scockerham@adn.com

Mr. Seaton,

I read the article in the Anchorage Daily News about your proposal to hold the PFD check for out-of-staters. At first glance, I thought it was a great idea to thwart those individuals who continue to apply for the fund with no intention of returning to Alaska. I agree that fraudulent applications would have to decrease when people realize that the only method to collect the PFD would require them to relocate back to the state. The reason I'm writing to you is to comment on the proposed exclusion of congressional staffers from this plan. Once again, I see a situation where the rule makers omit themselves from the rules. I do not believe that Ted Stevens is eagerly awaiting his PFD check to help pay his bills. It appears that you would expect students and military personnel to delay their check while those who are better paid would be allowed to collect immediately. Lets not destroy a good idea by playing favorites. If this plan is to be successful, we should enforce it across the board. I am certain that our public servants in DC can afford to wait until their return to the state.

Thanks for your time,

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

Jerry Quinn

Anchorage