

**SB**

**284**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

REPORTED OUT  
MAY 02 2004  
SENATE FINANCE  
COMMITTEE

DATE: 2/18/04

FURTHER:

DATE TURNED IN TO OFFICE: 05/02/04

Finance Committee considered SENATE BILL NO. 284

## SB 284 PF DIVIDEND APPLICATION RECORDS PRIVATE

"An Act relating to an optional election to prevent the name and address of a permanent fund dividend applicant from being disclosed, except to a state or federal agency."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 284 (FIN)
- adopt previous \_\_\_\_\_ CS CS FORTHCOMING (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**  
 Same Title  
 New Title

**House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero.	FN#
DoB	4/30/04			✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

REPORTED OUT

MAY 02 2004

SENATE FINANCE  
COMMITTEE

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: CSSB 284(FIN)  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Revenue  
Title PFD Application Records Private RDU Revenue Programs & Services  
Component Permanent Fund Dividend  
Sponsor Senator Guess  
Requester Senate Finance 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	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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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						
1950 Permanent Fund Dividend Fund	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0  
Check 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)

CSSB 284(FIN) proposes that the department keep all information on a PFD application confidential except for the applicant's name. The bill allows confidential information provided on the application to be released to a local, state or federal agency, in compliance with a court order, as directed by the individual, or to a banking institution to verify a direct deposit or to correct an error in a direct deposit. Currently, names and mailing addresses only are public information.

Prepared by: Sharon Barton, Director Phone (907) 465-4785  
Division Permanent Fund Dividend Division Date/Time 4/30/04 1:47 PM  
Approved by: Steve Porter, Deputy Commissioner Date 4/30/2004  
Agency Department of Revenue

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(b) In addition to the information in (a) of this section, a voter may elect in writing to keep the following information confidential and not open to public inspection:

~~(1) the voter's name if the voter has been a victim of domestic violence;~~

delete

(2) the voter's residential address if the voter provides a separate mailing address.

(c) Notwithstanding other provisions, and in compliance with federal law, information made confidential by this section may be released by the division

(1) to a local, state, or federal government agency, including to the child support enforcement agency created in AS 25.27.010 or the child support enforcement agency of another state; the agency receiving information under this paragraph may use the information only for governmental purposes authorized under law;

(2) in compliance with a court order;

(3) to a person holding a writ of execution against the person or property of the voter; or

(4) if the voter about whom information has been requested has provided written consent to the release.

\* Sec. 2. AS 43.23 is amended by adding a new section to read:

**Sec. 43.23.017. Applicant information confidential.** Information on each permanent fund dividend application, except the applicant's name, is confidential. The department may only release information that is confidential under this section

(1) to a local, state, or federal government agency;

(2) in compliance with a court order;

(3) to the individual or agency who files an application on behalf of another;

(4) to a banking institution to verify the direct deposit of a permanent fund dividend or correct an error in that deposit; and

(5) as directed to do so by the applicant.

\* Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to

SENATE FINANCE COMMITTEE  
5/2/2004 COMMITTEE ACTION

<b>Bill Number</b>	SB 284		
<b>Amendment</b>	#1		
<b>Motion</b>	to adopt		
<b><u>Motion by</u></b>	Green		
<b><u>Objection by</u></b>	None		
<b><u>Removed</u></b>			
<b><u>Second Objection by</u></b>			
<b><u>Committee Member</u></b>	<b>Y</b>	<b><u>Vote</u></b>	<b>N</b>
Senator Bunde			
Senator Dyson			
Senator Hoffman			
Senator Olson			
Senator Stevens			
Co-Chair Green			
Co-Chair Wilken			
<b><u>Tally</u></b>			
Yea			
Nay			
Absent			
<b><u>MOTION</u></b>			

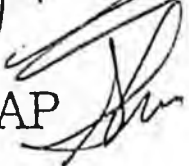
Attention: Sheila  
Of Senator Wilkins's office  
RE: CS SB 284 (FIN)  
Date: 5/2/04 Time: 2:20 PM

The attached Senate Finance CS incorporates <sup>Sen. Green's</sup> ~~the amendment(s) your boss sponsored.~~ Please review and approve so the bill can be forwarded to the Senate Secretary.

The CS is your copy.

Thanks,  
Senate Finance Secretary  
Mindy #4935  
Robin #2618

Proof given to  
Sen. Green's  
office

A-OK  


Approved: \_\_\_\_\_  
(please initial)

Return ASAP

Attention: Traci  
Of Senator Green's office  
RE: CS SB 284 (FIN)  
Date: 5/2/04 Time: 2:20 PM

The attached Senate Finance CS incorporates the amendment(s) your boss sponsored. Please review and approve so the bill can be forwarded to the Senate Secretary.

The CS is your copy.

Thanks,  
Senate Finance Secretary  
Mindy #4935  
Robin #2618

Amendment  
#1

Approved: KHC  
(please initial)

Return ASAP

CS FOR SENATE BILL NO. 284(FIN)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:  
Referred:

Sponsor(s): SENATOR GUESS

A BILL  
FOR AN ACT ENTITLED

1 "An Act making information on a permanent fund dividend application, other than the  
2 applicant's name, confidential, and relating to disclosure of that confidential  
3 information; and relating to confidential information in voter registration records."

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

5 \* Section 1. AS 15.07 is amended by adding a new section to read:

6 Sec. 15.07.195. Certain information in voter registration records  
7 confidential. (a) The following information set out in state voter registration records  
8 is confidential and is not open to public inspection:

- 9 (1) the voter's age or date of birth;
- 10 (2) the voter's social security number, or any part of that number;
- 11 (3) the voter's driver's license number;
- 12 (4) the voter's voter identification number;
- 13 (5) the voter's place of birth;
- 14 (6) the voter's signature.

Amendment  
# 1

1 (b) In addition to the information in (a) of this section, a voter may elect in  
2 writing to keep the voter's residential address confidential and not open to public  
3 inspection if the voter provides a separate mailing address.

4 (c) Notwithstanding other provisions, and in compliance with federal law,  
5 information made confidential by this section may be released by the division

6 (1) to a local, state, or federal government agency, including to the  
7 child support enforcement agency created in AS 25.27.010 or the child support  
8 enforcement agency of another state; the agency receiving information under this  
9 paragraph may use the information only for governmental purposes authorized under  
10 law;

11 (2) in compliance with a court order;

12 (3) to a person holding a writ of execution against the person or  
13 property of the voter; or

14 (4) if the voter about whom information has been requested has  
15 provided written consent to the release.

16 \* Sec. 2. AS 43.23 is amended by adding a new section to read:

17 **Sec. 43.23.017. Applicant information** 1. Information on each  
18 permanent fund dividend application, except the applicant's name, is confidential. The  
19 department may only release information that is confidential under this section

20 (1) to a local, state, or federal government agency;

21 (2) in compliance with a court order;

22 (3) to the individual or agency who files an application on behalf of  
23 another;

24 (4) to a banking institution to verify the direct deposit of a permanent  
25 fund dividend or correct an error in that deposit; and

26 (5) as directed to do so by the applicant.

27 \* Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to  
28 read:

29 APPLICATION. (a) AS 15.07.195, added in sec. 1 of the Act, applies to voter  
30 registration records beginning on January 1, 2005, and thereafter.

31 (b) AS 43.23.017, added in sec. 2 of this Act, applies to applications for the 2005

1 permanent fund dividend and for dividends for years thereafter.

23-LS1596U  
Cook  
5/2/04

CS FOR SENATE BILL NO. 284( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATOR GUESS

A BILL

FOR AN ACT ENTITLED

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1 (b) In addition to the information in (a) of this section, a voter may elect in  
2 writing to keep the following information confidential and not open to public  
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5 violence;

6 (2) the voter's residential address if the voter provides a separate  
7 mailing address.

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5 permanent fund dividend and for dividends for years thereafter.

23-LS1596I  
Cook  
4/20/04

CS FOR SENATE BILL NO. 284( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATOR GUESS

A BILL

FOR AN ACT ENTITLED

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4 APPLICATION. AS 43.23.017, added in sec. 1 of this Act, applies to applications for  
5 the 2005 permanent fund dividend and for dividends for years thereafter.



ALASKA STATE LEGISLATURE  
SENATOR GRETCHEN GUESS

## Sponsor Statement

SB 284: *"An Act relating to an optional election to prevent the name and address of a permanent fund dividend applicant from being disclosed, except to a local state and federal government agency, or in compliance with a court order."*

### **BACKGROUND**

Currently, the list of Permanent Fund Dividend (PFD) applicants and their address are public information.

### **PROBLEM**

Although this issue appears benign on the surface, to victims of violent crimes, disclosing their mailing addresses can be a terrifying and potentially life-threatening mistake. For example, this would apply to survivors of domestic violence who are in hiding or live in an undisclosed location for safety reasons. Making names public when you file for a PFD defeats this purpose and can potentially be lethal.

### **SOLUTION**

This legislation would allow a PFD applicant to check a box to keep the applicant information private, except in cases where disclosure of such information is required by state or federal government. This solution provides safety for those people who need it, and provides privacy for all Alaskans who want it.



ALASKA STATE LEGISLATURE  
SENATOR GRETCHEN GUESS

Memorandum

Date: April 26, 2004

To: Senate Finance

From: Senator Gretchen Guess

A handwritten signature in cursive script, appearing to read "Gretchen Guess", written over the printed name.

Re: SB 284: *"An Act making information on a permanent fund dividend application, other than the applicant's name, confidential, and relating to disclosure of that confidential information."*

---

On Thursday, April 29, in Senate Finance, you will hear Senate Bill 284 (SB 284). At that time, I will present the attached Committee Substitute (CS) to this bill.

Originally, SB 284 required an option on the Permanent Fund Dividend (PFD) application, allowing the applicant to check a box if he or she wanted to keep their name and address private. This option allowed Alaskans to keep their name and address private, which is especially important for domestic violence victims.

The new CS deletes this option and makes all applicant information, other than the name, confidential. **As a result, this CS does the following.**

- Streamlines the SB 284.
- Clarifies the privacy rights of an applicant.
- Balances the need to make public expenditures (PFDs) public ensuring the need to keep information confidential for safety and privacy reasons.
- Provides the ability for Alaskans to continue to participate in fraudulent claims.
- Decreases the fiscal note to zero.

The only exceptions to this confidentiality are that information beyond name and address may be disclosed in the following circumstances.

- To a local, state, or federal government agency (e.g. for the purposes of establishing child support payments), and in compliance with a court order.
- To an individual or agency who files an application on behalf of another person.
- To a banking institution only for verification of PFD direct deposit or for correction of an error regarding direct deposit.

23-LS1596I  
Cook  
4/20/04

**CS FOR SENATE BILL NO. 284( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-THIRD LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATOR GUESS**

**A BILL**

**FOR AN ACT ENTITLED**

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2 \* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to  
3 read:

4 APPLICATION. AS 43.23.017, added in sec. 1 of this Act, applies to applications for  
5 the 2005 permanent fund dividend and for dividends for years thereafter.

Dear Legislators;

After five years, two domestic violence shelters, one protective order, counsel from seven attorneys, extensive internet research and a name and social change my son and I are free from a man who will kill us if he finds us. Today life is grand. We have a home, a great job, lots of friends and a wealth of information on domestic violence. My son enjoys playing hockey for the Boy's and Girl's Club and we are pretty normal, content tax paying folk. I earned over \$110,000 last year and paid almost 30% in taxes. No problem.

My question is this; will my son or I ever be able to collect our PFD with out endangering our lives? The PFD database is available to anyone. It's cheap and easy for anyone to access. This could mean death for us.

I do lead a very public life, under my new legal name, as a Loan Officer. This allows for me to provide for my son and not rely on social services. I stopped hiding and cowering a long time ago but that doesn't mean I need to make it easy for him to find us. I still use prudence and common sense.

Some say I should just be happy to be alive and moving on with my new life. I am. Does this mean I should be so happy that I don't at least try to collect a PFD to start my son's college fund? He will never see a dime in child support. If you say this is how it has to be then I will be ok with that. It just doesn't seem right. Wouldn't it be possible to pass some sort of legislation that can protect domestic violence survivor's names and address' from the public PFD database? I doubt I am the only woman in this situation.

Respectfully submitted,



PS: I have been busy trying to get my court approved name change documents off the State's name index. A very nice lady by the name of Christine Johnson, Deputy Alaska Court System Administrator, was very helpful and I am hopeful she will be successful in permanently removing my records from the site. I know I am not the only one who needs this extra precaution in place to help keep us safe as well.

Provided by Sen. Guess

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSSB 284(STA)  
 (S) Publish Date: 2/25/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Revenue  
 Title PFD Application Records Private RDU Revenue Programs & Services  
 Component Permanent Fund Dividend  
 Sponsor Senator Guess  
 Requester Senate Finance 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						
Travel						
Contractual	15.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1950 Permanent Fund Dividend Fund						
<b>TOTAL</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (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)

SB 284 proposes a checkoff on the Permanent Fund Dividend application to require the PFD to keep an applicant's name and address confidential. Reprogramming of the Dividend Application Information System and the associated mainframe applications can be accomplished for the 2005 dividend cycle in the course of a re-write of those applications currently underway. However, implementation of the re-writes is dependent on other system upgrades to be funded by a pending 2005 CIP request (PFD Image System Upgrades). The cost of the additional programming is estimated at \$15.0.

Prepared by: Sharon Barton  
 Division: Permanent Fund Dividend  
 Approved by: Steve Porter, Deputy Commissioner  
 Agency: Department of Revenue

Phone (907) 465-4785  
 Date/Time 2/24/04 8:57 AM  
 Date 2/24/2004

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 1/28/04

FURTHER: Finance

Date of 5-Day Notice: 2/12/04  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 2/18/04

State Affairs Committee considered SENATE BILL NO. 284

**SB 284 PF DIVIDEND APPLICATION RECORDS PRIVATE**

"An Act relating to an optional election to prevent the name and address of a permanent fund dividend applicant from being disclosed, except to a state or federal agency."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 284 (STA)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input type="checkbox"/>	Same Title
<input checked="" type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

*FN for the CS forthcoming*

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:		Do PASS	Do NOT PASS	NO REC	AMEND
<i>Cress</i>		✓			
<i>Hoffman</i>		✓			
<i>E. Skelton</i>		✓			
<b>CHAIR:</b>		✓			

SENATE FINANCE COMMITTEE

SIGN-IN

**SB 284-PF DIVIDEND APPLICATION RECORDS PRIVATE**

NAME: Sharon Barton Subject/Bill No: SB 284  
Co./Dept./Title: REVENUE - PFD Phone: 465-4785  
Address: 11th St SOB Zip: 99811

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

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