

HB

205

Alaska State Legislature



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State Affairs Committee

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Labor & Commerce Committee
Health & Social Services Committee
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Labor and Workforce Development
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A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

FAX

To: Legal Services

Fax #: 465-2029

From: Nancy Manly 465-2794
Alaska State Capitol, room 104
Juneau, AK 99801-1182

of Pages (including cover): 1

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Re CS for HB 205 26-LS0780\R

4/14/09

House State Affairs passed out CS for HB 205 Version R as written. Please draft a final CS.

Thanks.

**Nancy Manly**

From: Paul Grossi
Sent: Monday, April 13, 2009 5:01 PM
To: 'Nancy_Manly@legis.state.ak.us'
Subject: CSHB 105 changes

Nancy,

The drafted CS for HB 205 makes three changes:

- 1) Page 1, line 12, "**received a dividend for the year immediately before the qualifying year and.**" was inserted after the words, "If and individual who"
- 2) Page 1, Line 13, "**after having been a state resident for at least 180 days immediately before the date of death.**" was inserted after the words, "dies during the qualifying year"
- 3) Pag 1, Line 14, "**and (a)(5)**" was inserted after the words, "notwithstanding (a)(1)-(3)"

These changes are proposed to deal with technical issues raised by Chris Poag from the Department of Law and Debbie Bitney from the Permanent Fund Dividend Division. The changes in the CS satisfy their concerns.

Thanks,

Paul Grossi
Staff for Rep. Crawford

[REDACTED]
[REDACTED]
Sent: Tuesday, April 07, 2009 9:58 AM
[REDACTED]

Subject: FW: Senate Bill #171

[REDACTED]
Sent: Tuesday, April 07, 2009 9:54 AM
To: Sen. Kevin Meyer
Subject: Senate Bill #171

Dear Senator Meyer,

I am writing today to voice my unqualified support for Senate Bill #171. I personally find it ludicrous that an otherwise qualified individual is ineligible for the PFD should he or she have the misfortune to die outside the specified time frame of January to March! Were these people (assuming Alaska residency and otherwise being eligible) somehow *not* Alaskans during the previous 9 months in the cycle? I commend you wholeheartedly for introducing this bill and I assure you that I will continue to support it during its travels through the legislative process.

God bless you!

Molly Palmer
Valdez, Alaska

4/7/2009

CS FOR HOUSE BILL NO. 205()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE CRAWFORD

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the permanent fund dividend of an otherwise qualified individual**
2 **who dies during the qualifying year; and providing for an effective date."**

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

4 *** Section 1.** AS 43.23.005(h) is amended to read:

5 (h) If an individual who would otherwise have been eligible for a permanent
6 fund dividend dies after applying for the dividend but before the dividend is paid, the
7 department shall pay the dividend to a personal representative of the estate or to a
8 successor claiming personal property under AS 13.16.680. If an individual who would
9 otherwise have been eligible for a dividend and who did not apply for the dividend
10 dies during the application period, a personal representative of the estate or a
11 successor claiming personal property under AS 13.16.680 may apply for and receive
12 the dividend. If an individual who received a dividend for the year immediately
13 before the qualifying year and who would otherwise have been eligible for a
14 dividend dies during the qualifying year after having been a state resident for at

1 **least 180 days immediately before the date of death, notwithstanding (a)(1) - (3)**
2 **and (a)(6) of this section, a personal representative of the estate or a successor**
3 **claiming personal property under AS 13.16.680 may apply for and receive the**
4 **dividend.** Notwithstanding AS 43.23.011, **an** [THE] application for **a** [THE] dividend
5 may be filed by the personal representative or the successor **under this subsection** at
6 any time before the end of the application period for the next dividend year.

7 * **Sec. 2.** This Act takes effect January 1, 2010.

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Representative Harry Crawford
District 21

SPONSOR STATEMENT: HOUSE BILL 205

HB 205 is a bill that provides for the issuance of a Permanent Fund Dividend Check to the caretaker of a deceased persons estate should that person die during the eligibility year. Passage of this bill would assist families with the costs associated with the loss of a family member and would close a loophole that now exists in the Permanent Fund Dividend distribution system.

Currently, children born on the last possible day of the eligibility year receive PFD, college students are able to spend the majority of their time outside the State of Alaska and still receive a PFD, and Alaskan residents are allowed to spend up to 180 days outside of Alaska and still receive a PFD. HB 205 levels the playing field for those who would have been eligible but died during the eligibility year. A persons loved ones should not be disadvantaged by a technicality.

HB 205 is a common sense bill that will decrease the burden on already suffering families. Those who are eligible to receive a Permanent Fund Dividend check from the State of Alaska should retain that eligibility whether they live for one day of the year or three hundred. HB 205 helps families and does not disadvantage the state.

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House Bill No. 205: Sectional Summary

Section 1: Amends AS 43.23.005 (h) to include language that allows for a person who would have otherwise been eligible for a Permanent Fund Dividend check dies during the qualifying year, then a personal representative of the estate can receive their dividend.

Section 2: Provides for an effective date of January 1st 2010

Zac Mannix

From: vada moore [vada@alaska.net]**Sent:** Wednesday, February 18, 2009 3:28 PM**To:** Rep. Kyle Johansen; Rep. Peggy Wilson; Rep. Beth Kerttula; Rep. Andrea Doll; Rep_William_ThomasJr@legis.state.ak.us; Rep. Woodie Salmon; Rep_Michael_Kelly@legis.state.ak.us; Rep. David Guttenberg; Rep. Scott Kawasaki; Rep. Jay Ramras; Rep. John Coghill; Rep. John Harris; Rep. Carl Gatto; Rep. Wes Keller; Rep. Mark Neuman; Rep. Bill Stoltze; Rep. Anna Fairclough; Rep. Nancy Dahlstrom; Rep. Bob Roses; Rep. Max Gruenberg; Rep. Harry Crawford; Rep. Sharon Cissna; Rep. Les Gara; Rep. Berta Gardner; Rep. Mike Doogan; Rep. Lindsey Holmes; Rep. Bob Buch; Rep. Craig Johnson; Rep. Ralph Samuels; Sen. Kevin Meyer; Rep. Bob Lynn; Rep. Mike Hawker; Rep. Kurt Olson; Rep. Mike Chenault; Rep. Paul Seaton; Rep. Gabrielle LeDoux; Rep. Bryce Edgmon; Rep. Mary Nelson; Rep. Richard Foster; Rep. Reggie Joule; carol okamoto**Subject:** Decease participants-PFD filings

Gentlemen and Ladies of the House of Representatives of the State of Alaska:

On Feb 8, 2009 there was an article titled Permanent Fund Dilemma. The 2 ladies speaking to the reporters of the Peninsula Clarion, had just lost their (husband and/or father) in November 2008. They have been advised by PFD officials they're family member (deceased) are not eligible for a permanent fund check when and if one comes out to the populace in the fall of 2009. Now both of said gentlemen have been and were long-time residents of Alaska and have not spent 1/2 of each winter stateside anytime, if ever, so the could still be able to receive PFD checks.

I would like to lodge a suggestion to you at this time: If a person passes away and has been in the state, at least, 6 months of that said year applied for then, they should be eligible for 50% of PFD check coming out the following fall; if passed away after 3/4 part of the year after September, then said deceased estate should be able to collect 75% of said dividend. Now those 2 gentlemen both passed in November, wouldn't you think their estates should receive the 75% amount and estate would then be able to file between Jan., 1, 2009, and the deadline of March 31, 2009, to receive a said check in the fall pay-outs.

Would you please investigate this matter and try to enact a legislative motion and/or law to cover this problem. Please feel free to contact me at POBox 585, Anchor Point, Alaska 99556 by mail, or call either of these phone #'s 907-235-9606, or 907-399-9880.

Thank you so much, Vada L Moore, Alaska Citizen since 7-13-63

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Representative Harry T. Crawford, Jr.

East Anchorage District 21

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MEMORANDUM

To: Rep. Bob Lynn
From: Rep. Harry Crawford
Re: HB 205
Date: 04/15/2009

I respectfully request that the House State Affairs Committee schedule a hearing for HB 205, "An Act relating to the permanent fund dividend of an otherwise qualified individual who dies during the qualifying year".

With this request I am submitting a current version of this bill, a sponsor statement, a sectional analysis, and any supporting material. Upon scheduling a list of teleconference needs will be submitted to the Chair along with the names of those who will be testifying.

Please contact myself or my staff should you require any further information or have any questions regarding this hearing request.