

SCOMM

139:9

HOUSE COMMITTEE REPC T

(7)

Date Referred to Committee: March 4, 2005

FURTHER REFERRALS: State Affairs

Date of Committee Action: 3-17-05

The HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS considered: HB 201

HOUSE BILL NO. 201

PERM. FUND DIVIDEND APPS OF MILITARY

"An Act relating to an application for a permanent fund dividend for a member of the armed forces of the United States serving on active duty outside of the state; and providing for an effective date."

Recommends it be replaced with [] HCS or [] CS for _____ (_____)
For Senate Bills with new title: [] Technical Title [] New Title: HCR _____ [] Same Title [] New Title

☐ attach amendments
☐ add new referral to _____ Committee
☐ Letter of Intent _____ Committee

*List of
Abbrev
for
Depts.:*
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LEG
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

[illegible][illegible]

Signing with recommendations	Printed Last Name	DP	DNP	NR	AM
Walt B. [Signature]	Thomson	✓			
[Signature]	Greenberg	✓			
[Signature]	Cissna	✓			
[Signature]	ELISINS	✓			
[Signature]	McGuire	✓			
Chair: [Signature]	LYNN	X			

STATE OF ALASKA

**REPRESENTATIVE
MIKE CHENAULT**

Official Business

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145 Main St. Loop, Second Floor
Kenai, Alaska 99611
(907) 283-7223
Fax: (907) 283-3075

Session:
Capitol Building, Room 432
Juneau, Alaska 99801-1182
(907) 465-3779
Toll Free: (800) 469-3779
Fax: (907) 465-2833

HOUSE OF REPRESENTATIVES

March 3, 2005

To: Representative Lynn, Chair
Representative Dahlstrom
Representative Elkins
Representative McGuire
Representative Thomas
Representative Cissna
Representative Gruenberg

From: Representative Mike Chenault

Subject: Request for Military & Veterans Affairs Committee hearing

This office respectfully requests a hearing of the House Military & Veterans Affairs Committee on HB 201 "An act relating to an application for a permanent fund dividend for a member of the armed forces of the United States serving on active duty outside of the state; and providing for an effective date" as soon as possible.

If you have further questions on the scheduling of this committee hearing, please contact Sue Wright in Room 505 (907) 465-3779.

Thank you for your time and cooperation.

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Sponsor Statement

HB201

HB 201 "An act relating to an application for a permanent fund dividend for a member of the armed services of the United States serving on active duty outside the state of Alaska"

The purpose of this bill is to permit the person who has power of attorney for an individual who is serving on active duty with the United States armed services outside the state of Alaska to sign and file a permanent fund application for said individual.

Erich Deland

From: Linda Zimmerman [lzimmerman@kpbsd.k12.ak.us]
Sent: Tuesday, March 15, 2005 10:24 PM
To: Erich Deland
Cc: troy.zimmerman@us.army.mil
Subject: HB 201 testimonial

Erich,

Unfortunately, I will be unable to attend the teleconference regarding HB 201 on Thursday, March 17. :(I have prepared a statement to be read & know that it would have a bigger impact if I was to speak. Being a teacher makes it difficult for me to be present at the time. Thank you for all you have done & all that Rep. Chenault has done with this situation. I pray that HB 201 gets passed quickly!

Linda

My name is Linda Zimmerman. I am a teacher on the Kenai Peninsula. My husband, Troy, is a History & Spanish teacher at the local high school in the town of Nikiski. We have 3 young children. My husband is also an Alaska Natl. Guardsman. My husband has been in the Natl. Guards for 21 years! Although he could have retired in February 2004 after receiving his 20 year letter, he decided to sign on for more years to serve his country.

On October 2004, our world was totally turned upside down. My husband was being deployed & would be overseas for 12 to 18 months serving his country with the Army. Never in a million years did I ever think this would happen to my family. There were a lot of emotions that we went through initially & still are going through. It has been a rollercoaster of emotions, disappointments & frustrations.

One of those frustrations was in January 2005 when I got a call from my husband & he informed me he would be heading "out" soon. I picked up my Permanent Dividen Fund application packet & asked him to help me fill out his so I could submit it with the General Power of Attorney I had. I was told that if I did it online it would be easy. The process was anything BUT easy! I was told via email that,

"Despite the fact that you may have a Power of Attorney for your husband, he is still physically able to sign his own application. He will have to sign before he will receive his 2005 dividend. When the application is processed, it will go through the intial review stage, and your husband will be mailed a letter requesting his signature. If you are in contact with your husband and he can sign the application and get it USPS postmarked back to us by March 31, 2005, you may want to do that. Or, you can mail in the application and we will process it and send your husband a signature page. Please ensure you provide us with a copy of the Power of Attorney so we have it for our records and can discuss his application with you." (taken from the actual rejection email I received)

Now, I am a person who follows protocol & rules as a teacher, but I was so frustrated & confused by this rejection letter. My husband was going into a Combat Zone & the PFD office was more concerned over follow the proper protocol! I knew that I was not the only military spouse going through this, so that is when I decided to contact Representative Mike Chenault's office. I was told at a meeting the month before my husband left that having General Power of Attorney meant I could conduct official business on behalf of my husband's part. I even sent the PFD office a copy of the General Power of Attorney paperwork along with the 2 sets of orders for my husband. I sent 13 pages of documentation that proved that I in fact had General Power of Attorney for my husband. In the next 3 to 4 weeks, NEVER did the PFD office leave a message at my work phone number, home phone number or my cellular number. All of which they had. I found this very impersonal. All of my contact with them was via email. I tried calling the PFD office & I even left messages, but I never spoke to a human being.

Although my husband has email/computer access, I can count on 1 hand the number of times my husband has emailed me from Iraq. The soldiers have to sign up for their time on the

computers, & that time is only 20 or 30 minutes long. Internet connection can sometimes be tricky since they use jammers for security reasons, thus breaking phone connections. The power was out for 3 days recently in my husband's area, something unexpected for the soldiers, as is the situation in any war. The soldiers in Iraq & other places in the Middle East have an important job to do. Filing their PFD online is the LAST thing that they want to think about doing after a 12 hour shift of military duty. Also, you can imagine, the mailing system can be rather slow & unreliable when you are half way around the world.

I am very proud to say that my husband is serving his country, as are my children. I know that he has a long & difficult task before him, just as we do on the homefront. The PFD office has NO clue what they are talking about when they ask for my husband's signature, using the internet & sending things via email. My husband is a very busy soldier, doing what soldiers do in a combat situation. THIS takes priority over physically filling out a PFD form. THAT is what General Power of Attorney is for.

It is time that the PFD Dept. take a long hard look at their policies & seriously think about modifying some of the rules & policies, particularly when it comes to military spouses & their soldiers. As time goes by, more & more soldiers from Alaska are being deployed. Other spouses & soldiers will have to deal with the stress & headaches I have had to endure. The situation we military wives are in, is stressful enough! I beg you to please consider passing HB 201, not just for me, but for ALL Alaskan soldiers & their families. My husband is serving his country for goodness sake, doesn't that mean anything to anyone anymore?

Thank you for your time!

Linda L. Zimmerman
4/5th Multiage Educator
Student Council Coordinator
Nikiski North Star Elementary

"The 6 Pillars of CHARACTER COUNTS! Trustworthiness, Respect, Responsibility, Fairness, Caring, & Citizenship. Have you hugged your PILLARS today?"

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 9, 2005

SUBJECT: Permanent fund dividends for members of the armed forces;
sectional summary (HB 201)

TO: Representative Mike Chenault,
Co-chair, House Finance Committee
Attn: Erich DeLand

FROM: Tamara Brandt Cook
Director *TBC*

Sec. 1. Permits another person to complete and file a permanent fund dividend application for a member of the United States armed forces who is serving outside of the country. The person must have a power of attorney from the member of the armed forces that authorizes the person to file the application.

Sec. 2. The effective date is January 1, 2006, the day before the beginning of the filing period for 2006 permanent fund dividend applications.

TBC:med
05-166.med

Permanent Fund Dividend Division
2005 Permanent Fund Dividend Application
Filing on Behalf of a Deployed Military Member
Frequently Asked Questions

- **Can a military member stationed overseas apply on-line?**
Yes, a military member can apply on-line or download any needed forms anywhere in the world, if they have access to a computer with internet capability at www.pfd.state.ak.us.
- **Can another person fill out, sign and submit an application for an absent military member?**
A person with power of attorney for the military member can fill out the application and submit it to PFD. However, the military member must ultimately sign a certification form. An unsigned application filed on or before the March 31 deadline by a power of attorney will be considered timely.
- **How do I apply for an active duty military member?**
You will need to complete a Permanent Fund Dividend "B" Application (Filing on Behalf of an Adult). You can download the B Application from the PFD web-site (www.pfd.state.ak.us) or contact the division and request an application. You will be required to submit a copy of your power of attorney with the application.
- **What if the military member is not available to sign an application or eligibility verification form before March 31?**
You should file the "B" application using your power of attorney as outlined above. We will process the application and send you a request for the military member's signature (Eligibility Verification Form). We will pend the application until we receive the completed signed form.
- **What if the military member misses the application deadline (March 31, 2005)?**
Some military members may apply late. If the military member was eligible for hostile fire or imminent danger pay while serving on active duty during the filing period (January 2 through March 31, 2005), the member has 90 days to apply after the last day he/she was eligible to receive hostile fire or imminent danger pay. Documentation of the member's pay status will be required. All other military members must file by the March 31, 2005, deadline or have a power of attorney file on their behalf.
- **What if I receive a letter from the PFD Division for the military member requesting information, and the member cannot respond by the deadline in the letter?**
If the military member is not able to respond by the deadline, contact your local dividend information office, or call 1-800-733-8813. We will extend the deadline for processing until the information can be submitted.
- **What if I receive a denial letter from the PFD Division because the military member did not respond to the division's request for information?**
If you receive a denial letter based on lack of response from the military member, contact your local dividend information office or call 1-800-733-8813. If the military member was unable to respond, we will extend the deadline for processing until the necessary information can be submitted.
- **What if the military member was not able to return to Alaska in 2003 or 2004 to meet the 72 hour rule?**
The Commissioner of Revenue has executed a waiver from this rule for military members who are able to document that they were unable to return for 72 hours during 2003 or 2004 due to the current national emergency. Contact your local Dividend Information Office for further information. The waiver does not apply to spouses or dependents.