



LAWS OF ALASKA

1998

Source
CSHB 481(STA)

Chapter No.
91

AN ACT

Relating to application for and payment of permanent fund dividends of certain deceased individuals; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 12, 1998

Actual Effective Date: Section 2 takes effect January 1, 1999; remainder of Act takes effect June 13, 1998; section 1 is retroactive to January 1, 1998

AN ACT

1 Relating to application for and payment of permanent fund dividends of certain deceased
2 individuals; and providing for an effective date.

3

4 * **Section 1.** AS 43.23.005 is amended by adding a new subsection 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 successor
11 claiming personal property under AS 13.16.680 may apply for and receive the
12 dividend. Notwithstanding AS 43.23.011, the application for the dividend may be filed
13 by the personal representative or the successor at any time before the end of the
14 application period for the next dividend year.

Chapter 91

1 * Sec. 2. AS 43.23.025(a) is amended to read:

2 (a) By October 1 of each year, the commissioner shall determine the value of
3 each permanent fund dividend for that year by

4 (1) determining the total amount available for dividend payments,
5 which equals

6 (A) the amount of income of the Alaska permanent fund
7 transferred to the dividend fund under AS 37.13.145(b) during the current year;

8 (B) plus the unexpended and unobligated balances of prior fiscal
9 year appropriations that lapse into the dividend fund under AS 43.23.045(d);

10 (C) less the amount necessary to pay prior year dividends from
11 the dividend fund in the current year under AS 43.23.005(h) and under
12 AS 43.23.055(3) and (7);

13 (D) less the amount necessary to pay dividends from the
14 dividend fund due to eligible applicants who, as determined by the department,
15 filed for a previous year's dividend by the filing deadline but who were not
16 included in a previous year's dividend computation;

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

20 (2) determining the number of individuals eligible to receive a dividend
21 payment for the current year and the number of estates and successors eligible to
22 receive a dividend payment for the current year under AS 43.23.005(h); and

23 (3) dividing the amount determined under (1) of this subsection by the
24 amount determined under (2) of this subsection.

25 * Sec. 3. Section 1 of this Act is retroactive to January 1, 1998.

26 * Sec. 4. Sections 1 and 3 of this Act take effect immediately under AS 01.10.070(c).

27 * Sec. 5. Section 2 of this Act takes effect January 1, 1999.